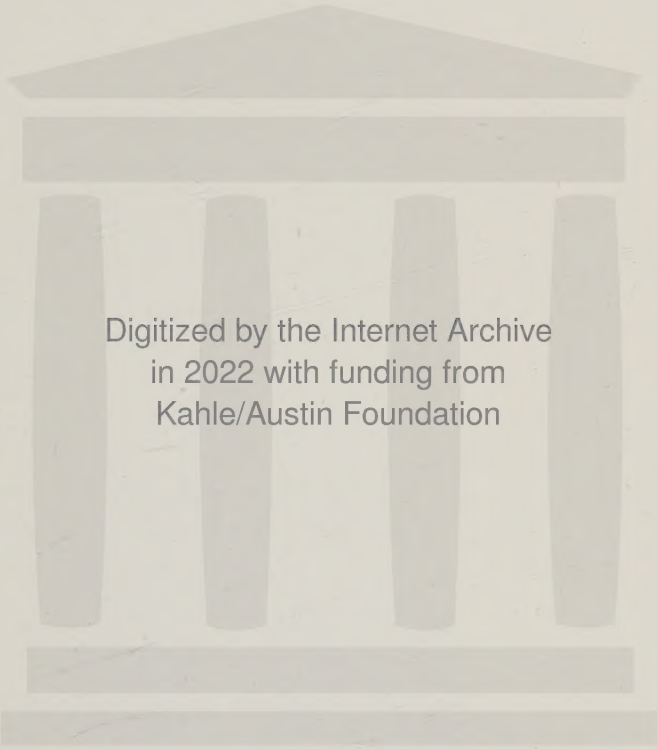


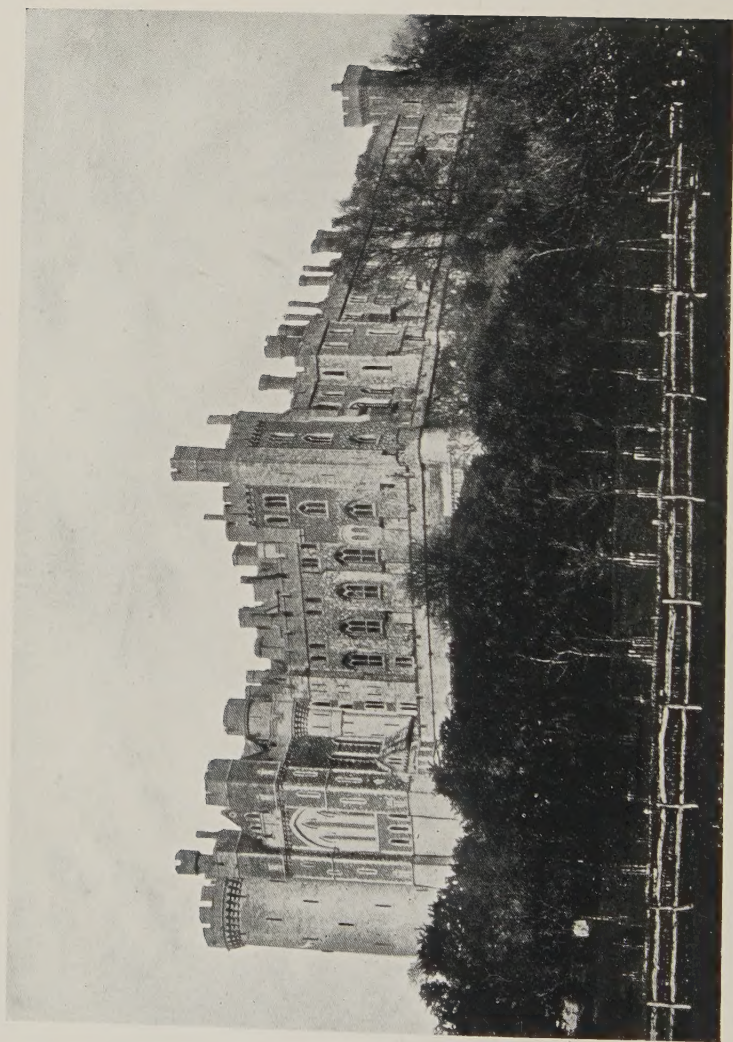


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ARUNDEL CASTLE.

ARUNDEL: BOROUGH AND CASTLE

BY
G. W. EUSTACE, M.C., M.A., M.D.

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MCMXXII

To

HER GRACE, GWENDOLIN, DUCHESS OF NORFOLK
AND BARONESS HERRIES

“ There are many beautiful places in the world, but there is only one Arundel.”—Old Saying.

PREFACE

IN the following pages an attempt is made to present, in chronological sequence, a concise and yet complete history of the ancient Borough of Arundel. Tierney's *History*, full and accurate though it is in all its records, fails in these particulars; since it is neither concise nor complete. Published in 1834, in two volumes, three-fourths of it is devoted to a biography of the successive Earls of Arundel; it is, moreover, without an index and has been long out of print. His failure to deal adequately with the history of the town is explained by the fact that two sources of information, essential to anything like a complete review, viz., the Municipal Records and all but the earlier Collections of the Sussex Archæological Society, were not at his disposal. To the former he was refused access by the Corporation, and the great majority of the contributions contained in the latter had not been made at the time he wrote. It would, however, be impossible for me to over-estimate my indebtedness to his *History*, considerable portions of which I have transcribed into the present volume. My thanks are also especially due to the Mayor and Corporation for freedom of access to the Municipal Records; to the Town Clerk for many facilities; to the Committee of the Sussex Archæological Society for permission to insert extracts from its Collections; to Mr. Thomas-Stanford, M.P., F.S.A., for leave to quote direct from his *Sussex in the Civil War*; to the late Captain William Kemp for much valuable advice and assistance, and not least to the late Mr. William Woods Mitchell for his constant help.

The majority of the illustrations are from prints and drawings in my possession, or from such as have been kindly

lent by friends, the remainder are from photographs by Mr. W. B. Allison, and from those specially taken by my wife, to both of whom I desire to express my grateful indebtedness.

G. W. EUSTACE.

ARUNDEL.

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ARUNDEL CASTLE.
THE VIEW FROM THE KEEP.

ARUNDEL: BOROUGH AND CASTLE

CHAPTER I

Derivation of Name—Situation—Prehistoric Evidences—An Early British Stronghold—Roman Occupation—Saxon Era—Earliest Written Records—Alfred's Will—Domesday—The Saxon Castle.

MANY derivations have been suggested of the name Arundel, pronounced "Arndel," or "Harndel," in the local dialect. Some, by an ingenious transposition of letters, recognize in it the Portus Adurni of the Romans; others¹ see in it the Saxon word "aran," a high place; while some resemblance in the sound of the words Arundel and Hirondelle has led still others to connect it with the legendary steed of the giant Bevis.² Consensus of opinion is, however, on the side of Camden,³ who ascribes the origin of the name to the Dell, or valley, of the river Arun, on which the town is situated.

Situation The Castle and town of Arundel occupy the most southern portion of what may suitably be termed a promontory of the South Downs. This promontory, which is about three miles in length by one and a half in breadth at its widest part, is bounded on the east and south by the river Arun, on the west by a deep ravine known as Park Valley, and on the north by a ridge of the Downs. The roughly quadrilateral area thus bounded contains approximately 1,969 acres, composed of Upper Cretaceous or Chalk formation, covered by a thin layer of loam. Its central portion is traversed, from north-

¹ Evershed, *S.A.C.*, xviii. 183.

² See Appendix I.

³ *Camd. Brit.*, 227.

west to south-east, by a deep valley, which terminates in a shallow expanse of water, known from a very early date as Swanbourne Lake, which, by means of the mill stream, empties itself into the river.

**Prehistoric
Remains**

The discovery of many palæolithic implements, celts, scrapers, etc., within this area proves that it was occupied by prehistoric man, while the abundance of worked flints, i.e. flints chipped by hand, met with in the upper portion of Park Valley lends support to the supposition that a prehistoric flint implement manufactory existed at this particular spot.

**Ancient
Britons**

That this area formed a habitation, and its most southern portion, where the Castle and town now stand, a stronghold of the ancient Britons, is confirmed by the situation and character ¹ of the two earthworks, or defensive ditches, which run east and west across it. The outermost, or more northern of these, begins at the margin of the river in South Woods, and ascending the eastern slope passes west, 250 yards south of Whiteways, for a quarter of a mile, where bending north it descends into Houghton Forest. By the construction of this ditch communication with the open country beyond was effectually cut off.

**Inner
Ditch**

The inner ditch and vallation is about a mile and a half further south. It begins at the lower end of Swanbourne Lake where the water-mill, mentioned in Domesday, used to stand. Gaining the summit of the hill it runs west as far as the lodge at the entrance to Arundel Park. At the extreme angles of the vallum above the ditch are two circular mounds, on which towers may have once stood.

The existing entrance across the fosse was probably made in Norman times; the vestiges of the Gateway,² anciently accompanied by a drawbridge, still remain.

¹ Price, *S.A.C.*, xxxii. 169.

² Referred to as "the gate of Bogherwerth" in an account of William de Hevere, Keeper of the Honour of Arundel in the year 1275 wherein "viis. viid. was spent on making and raising the palisade which had fallen down from the gate of Bogherwerth to

Opposite the lodge the ditch divides ; one portion crosses the road near the Castle stables and thence descends to the marshy grounds of Park Bottom (it is believed that this portion was not made until 1643), the other turns sharply south. Only parts of the latter can now be recognized, most of it having been filled in. It originally ran to the point where St. Mary's Gate was later erected, thence it proceeded south-west and south down the declivity now known as Poorhouse Hill. A portion of the space thus enclosed goes to-day by the name of the "Little Park," and the foundations, which may here and there be traced in it, suggest that it was once covered with buildings, and give some support to the belief that, prior to 1295, the town, or more probably some part of it, may have occupied this spot. Whether this be so or not the construction of the great outer and inner vallations, combined with the natural defences on the east, south and west sides, provided a defensive position such as is very characteristic of the people of a very early period. Moreover, the natural strength of the position must have been greatly increased at that time and for long afterwards, by the fact that the valley of the Arun as far north as Amberley, and the marsh at the foot of Park Valley, were then, and as late as the fifteenth century, regularly flooded at high tide.

In 1834 an Early British canoe was discovered, buried in the mud at the margin of the river, near North Stoke. It was removed to the British Museum, where it was on view for some time ; but, notwithstanding every care, it split up and fell to pieces.¹

In 1858 a somewhat similar canoe and a wooden anchor were found at Burpham, where the evidences of an Early British settlement (supposed by some, but on insufficient grounds, to be Danish) still exist. This anchor and canoe are now in the museum of the Sussex Archæological Society at Lewes.²

the gate in the valley on the east side of the chapel of St. James":
Min. Accts. 1019-22.

¹ Turner, *S.A.C.*, xii, 261.

² Spencer, *S.A.C.*, x, 147.

The discovery of these canoes affords additional evidence of the presence of the early Britons in the Arun Valley.

Roman Occupation That Arundel was at the time of the Roman occupation of Britain one of their military stations on the coast road which it is believed ¹ was constructed by them to connect Regnum (Chichester) with Anderida (Pevensey), had long been suspected; indeed, one writer ² confidently states that it was the "Ad Decimum Lapidum" of the Romans on this road. Proof in support of this was not, however, forthcoming until 1896, when a considerable quantity of tesserae (portions of Roman tiles) and an iron horse-shoe were dug up in the south-west part of the town. These are now in the museum at Lewes. ³

Saxon Era Coming to the Saxon era, the objective evidences of the existence of pre-Conquest Arundel are supplemented by written records. The earliest of these occurs in the will of Alfred the Great (A.D. 901), in which **Alfred's Will A.D. 901** "Erundellan," with the neighbouring lordships of Aldingbourn, Compton, Beeding and others, is bequeathed to his nephew Athelm. In the will Arundel is described simply as a "ham": "And to Athelm, my brother's son, the manor at Aldingbourn, and at Compton, and at Arundel, and at Beeding, and at Beddingham and at Barnham." The word "ham" signifying properly a place of dwelling, the term "manor," by which it is translated, must be understood to include a residence for the Lord of the Manor. ⁴ Some writers, ⁵ relying on Mr. Astle's MS. copy of Alfred's will, from which the Oxford edition is printed, in which the word "Erundellan" is written Crundellan, insist that Crundall in Hampshire is meant; but as Parker, Camden, Spelman and Wise, who all consulted the oldest and most authentic MSS., unite in reading Erundellan; and as the place in question is mentioned in the midst of five others, all of them in Sussex, and four of them almost in the immediate neighbourhood of Arundel, it is more probable that

¹ Martin, *S.A.C.*, xi. 130. Haverfield, *S.A.C.*, xlv. 158.

² Martin, *S.A.C.*, ix. 112.

³ Coombe, *S.A.C.*, xl. 283.

⁴ Tierney, 12, note.

⁵ Lower, *Hist. of Sussex*, I. 13.

Crundellan is in reality the corruption and Erundellan the true reading.¹

The next mention of Arundel occurs in the Domesday Survey, where its condition in the reign of 1042-1066 Edward the Confessor (A.D. 1042-66) is thus recorded :

“ Castle Arundel. In the reign of King Edward returned from a certain mill 40 shillings, and from 3 Domesday 1085 1086 ‘ connuvia ’² 20 shillings, and from one pasturage 20 shillings. Now between the burg and the port and the customs of the ships it returns £12, and yet it is worth £13.”

Now, although this entry makes it certain that a castle existed at Arundel prior to the Norman Conquest, it should be noted that no mention is made in it of the existence of a town in the time of the Confessor, the reference to the burg applying to the date of the Survey (1085-6). Had anything in the nature of a town existed in the time of King Edward, some mention of its value then would almost certainly have been inserted ; and the amount returned from the mill would have been considerably greater than forty shillings, since at that time all corn had to be ground at the lord's mill, to whom fees were regularly paid for the privilege. While, therefore, it seems highly probable that there was an Early British settlement, and subsequently a Roman military station, on the site or on some portion of the site of the present town, the above entry makes it unlikely that, during the succeeding Saxon era, Arundel consisted of anything more than the Castle, the early church of St. Nicholas, the mill, and possibly a few habitations for the retainers of the Lord of the Manor. The reference in Domesday to the church occurs in the entry relating to Harting :

“ Of the land of this manor the clerks of St. Nicholas hold 6 hides, and have there 6 villeins and 7 bordars with two ploughs, and so it was in the time of King Edward.”

¹ Tierney, II, note.

² “ Highways ” (Lower) “ Banquets ” (*conviviis*), S.A.C., trans.

**The Saxon
Castle**

The exact size and extent of the Saxon castle, as also the name of its founder (although this is commonly attributed to Alfred, principally from the fact that he erected 166 castles as a protection against the incursions of the Danes),¹ will always remain a matter of conjecture. That the present Keep, with the exception of the outer stone casing, the well-tower and its eastern extension, comprised a portion, if not the whole of it, is rendered probable by its circular form; those of Norman construction being usually, although not invariably, square. But to whatever age the foundation may be assigned, it is evident that the Keep alone, of all that now remains, could have existed at the period of the Norman Conquest; it is indeed more than probable that, with the exception of the outer rampart, it comprised the whole of the Saxon fortification. The situation was admirably selected for defence. On the summit, at the southern extremity of the hill, a strong wall was raised, by which an oblong space, measuring 950 ft. in length by an average of 250 ft. in breadth, and containing about five acres and a half of ground, was enclosed. The hill falling away precipitously to a depth of about 90 ft., on the north-east and south-east, left the fortress in those directions inaccessible; whilst a deep fosse on the remaining sides, protected still further by the double vallation already mentioned, cut off the communication in those quarters, and effectually secured the garrison against the sudden incursions of an enemy. In the middle of this area thus fortified rose the Keep, a circular building of enormous strength, erected on an artificial mound thrown up for the purpose, and commanding the adjacent country in every direction. The perpendicular height of this mound on the external side is 91 ft. from the bottom of the fosse: on the inner side 69: and thus, with the addition of the walls and battlements, which are about 27 more, make a total elevation, on the west of 118, and on the east of 96 ft. The thickness of the walls varies from 8 to 10 ft., and the circular, or nearly circular, space which they include, having a diameter in one direction of 59, and in another of

¹ Tierney, note p. 32.

67 ft., was devoted to the accommodation of the garrison. The apartments, as appears from the corbel stones which still remain, were ranged round the walls, receiving their light from within, and converging towards the centre which was uncovered. There were neither loops nor other openings in the masonry ; and the only part of the fortress, therefore, from which an enemy could be annoyed, was from the ramparts. The well, if it then existed, was without the enclosure, on the south side, and was accessible, as at a later period, through a doorway in the wall, and by a flight of steps on the exterior of the Keep. Of the original entrance and approach no traces have been discovered.¹

Such then in all probability was the Saxon castle. What is believed to be a relic of it was discovered by Mr. P. M. Johnston, F.S.A., in the village of Walberton, near Arundel, in 1903. "It consists of a rude grave-stone or coffin-slab, worked in the peculiar fresh-water limestone, which was extensively used in the pre-Conquest buildings of the sea-coast region in Western Sussex. . . . This slab, which now measures 2 ft. 5½ in. by (originally) 1 ft. 8 in. in width, has a flat roll and shallow sunk border along its sides, and bears in very low relief on its face a cross of a curious and unusual pattern." ² The owner of the slab—Mr. Booker of Walberton—believes that it came into the possession of his father as "old material" from Arundel Castle. Mr. Johnston considers that the slab may date as far back as the tenth century, and he suggests that it may have originally covered the remains of a Saxon priest, who acted as chaplain to an oratory within the Keep which may have preceded that dedicated to St. Martin, and which will presently be described.

¹ Tierney, p. 34.

² Johnston, *S.A.C.*, xlvii. 148.

CHAPTER II

The Norman Conquest—Roger Montgomery—The “ Old Park ”—
The Castle—The Borough ; its Size, Rights and Privileges—
Church of St. Nicholas—Chapel of St. Martin.

ON the death of Godwine Earl of Sussex (probably also Lord of the Manor of Arundel),¹ in 1052, his son Harold succeeded him, both as Earl of
1052 Sussex and as chief adviser to Edward the Confessor. The King's ill health, coupled with his natural inability to govern, led him to entrust Harold, as he had done his father, with the almost uncontrolled direction of affairs, and for twelve years Harold became the virtual
1066 ruler of England. In January, 1066, the king died, and Harold succeeded to the throne. But the succession, or rather a recommendation to the people, had already been promised by the Confessor, in return for the hospitality he had received during his exile in France, to William of Normandy ; and William, determined to assert his right to be submitted to the people of England for election, and avowing that Harold, on the occasion of his shipwreck on the French coast, had sworn an oath to admit his right, landed at Pevensey in September, 1066. The hard-fought battle of Senlac followed : Harold perished on the field ; and England passed under Norman sway.

It is with the Norman Conquest that the real history of Arundel may be said to begin.

Roger Montgomery (1070-1094) 1st Earl of Arundel
Seated upon the English throne, one of William's first acts was to reward his followers who had assisted to place him there, and the lands of the conquered natives offered the readiest means. To Roger de Monte Gomerico, or Montgomery, a

¹ Tierney, p. 12, Appendix II.



THE GATEHOUSE.



NORMAN GATEWAY.

nobleman of extensive possessions in Normandy, and nearly related, through his mother, to the Conqueror, and who had commanded the centre division of the victorious army at Senlac, he gave the two Earldoms of Shrewsbury and Arundel.

Of the six Rapes into which Sussex is divided, two, namely those of Chichester and Arundel, were marked out to form the Honour of Arundel. They were calculated to contain 57,460 acres. They comprised the city of Chichester and Castle of Arundel; the ten hundreds of Poling, Westeaswrith, Avisford, Rotherbridge, Easbourne, Box, Stockbridge, Bourne, Singleton and Bury; the forests, woods and chases of the same; the lordships of Halnaker, Petworth and Midhurst; eighteen parks; and seventy-seven manors.

This extensive domain was conferred by the Conqueror on Roger Montgomery in 1070,¹ to be held by him
 1070 "in capite," i.e. in return for military service when required by the sovereign. One of Montgomery's first cares on acquiring his Arundel possessions was to restore and extend the fortifications of the place. To the exterior of the walls of the Keep he added a case or facing composed of small square blocks of Caen stone, at the same time strengthening the edifice by means of numerous broad flat buttresses resembling pilasters; and opening or remodelling the entrance which is still visible on the south-east side. Another archway of similar form but smaller dimensions, with facings wholly unadorned, is still remaining on the south side, and was evidently formed at the same period. It served as a passage to the steps of the well, which, from the appearance of the Keep itself in the part within the present well-tower, seems to have been still left as an external appendage to the fortress. But the principal improvements made by Earl Roger were in the area beneath the Keep; and of these the most conspicuous at the present day is the great Gatehouse. It is a square tower standing on an arched way which forms the approach to the enclosed space from without. It com-

Inner
Gatehouse

¹ Tierney, p. 13, note.

municates with the Keep by a raised passage carried across the ditch, the passage ending in a flight of steep steps. The upper part of the tower, which is certainly not older than the latter end of the thirteenth century, may be said to be of comparatively modern construction: but the lower portion, comprising the whole of the covered way, continues in its original state, and is a good specimen of Norman taste. The arch, like that of Bigod's tower in Norwich Castle, is circular, of the form which characterizes the Roman arch, without a keystone, and totally devoid of ornament. Along the front and side of each quoin, however, immediately below the spring of the arch, a bold but simple square moulding, with the under part chamfered off, passes horizontally, and relieves the otherwise naked surface of the structure. The arch, as well as all that remains of the ancient front of the tower, is formed of square blocks of Pulborough stone, cut with tolerable exactness, and still preserving at the angles much of their original sharpness. A portcullis was placed at the outer end of the passage; and this, it is probable, was still further strengthened by the additional security of a drawbridge over the fosse, which passed immediately beneath it.

Another part of the Castle which appears to be indebted for its origin to Earl Roger is the Barbican, generally known as Bevis's tower. It stands on the north-west side of the ditch which surrounds the Keep, at the point where it enters the external fosse. It is of oblong shape, supported by an immense buttress at each of the angles. The lowest or basement story is, however, the only portion which now remains of the original structure.

To the improvements ascribed to Earl Roger may also be added the immense vault under the east end of the Castle, at present used as a cellar. "It is entered through a plain circular arch, or doorway, which may be described as embedded in another and larger arch of the same form, from whose outer surface it recedes about six inches. The arch at the further end of the passage leading from the Keep into the well-tower is exactly similar to this. The vault itself is oblong, measuring 66 ft. in

length, by 20 ft. 10 in. in breadth, and rising to a height of 14 ft. 10 in. at the inner side of the segment of the arch. The vaultings are circular, formed of square blocks of chalk, and strengthened by four immense transverse ribs of stone of a semi-octagonal shape. The several walls vary in thickness. In that on the north-west there are two narrow round-headed windows, by which the vault was formerly lighted, and which induce something more than a suspicion that it was originally an external wall facing the interior of the courtyard. Such is the curious but dismal chamber which, we are told, was the ancient prison of the Castle."¹ It is probable, from the remains of two double round-headed windows still visible in the south-east side of the Castle looking to the river, that a building contemporaneous with the vaults, which extended for a considerable distance beneath it, was erected at this time, and, moreover, that it must have extended south-west at least as far as the Chapel of St. George, presently to be mentioned.

Outside the Castle two other alterations may be attributed to Earl Roger, namely, the entrance across the north side of the inner fosse, already alluded to, and the The Old
Park formation of the "Old Park." This latter is mentioned in Domesday—"Ernucion holds Tortinton of the Earl. Lewine, a freeman, held it in the time of King Edward. Then it vouched for 4 hides, now for 3 hides, because the Earl has one in his park."

The "Old Park" embraced what is now the "Home" or "Park Farm"; the second appellation, the one by which it is more commonly known, still perpetuating the name.

Such were the chief, if not the only, additions made by Earl Roger. But he did not confine his attention to the improvement of his Castle. A town had been rapidly growing up beneath its walls, and he made its welfare his special consideration. It has already been pointed out that

The Town nothing in the nature of a town can have existed at Arundel in the days of Edward the Confessor; yet in 1085-6, that is fifteen years after Earl Roger's arrival, the town is not only mentioned but it is designated by the

¹ Tierney, p. 41.

important term of Borough, and the word Burgess is applied to some of its inhabitants :

"Castle Arundel" (written Harundel), "in the time of King Edward, returned from a certain mill 40 shillings, and from 3 banquets 20 shillings, and from one pasturage 20 shillings. Now between the burg and the port and the customs of the ships it returns £12, and yet it is worth £13. Of these St. Nicholas has 24 shillings. There is one fishery of 5 shillings, and one mill returning 10 bushels of corn and 10 bushels of mixed grain. Over and above 4 bushels. This is rated at £14.

"Robert fitz Tedbald has 2 haws of 2 shillings, and he has his toll from strangers.

"Morin has a custom there from 2 burgesses of 12 pence. Ernald one burgess of 12 pence. St. Martin one burgess of 12 pence.

"Ralph one haw of 12 pence. William 5 haws of 5 shillings. Nigel 5 haws which do service."¹

Hence it is reasonable to assume that to Earl Roger the town of Arundel owes its foundation, and that in all probability it was at his special request that it was created a borough by the Conqueror.

In the concessions granted lay the importance of being a borough. As Green aptly expresses it: "The rights of self-government, of free speech in free meeting, of equal justice by one's equals, were brought safely across the ages of tyranny by the burgers and shopkeepers of the towns. In the quiet, quaintly-named streets, in town-mead and market place, in the lord's mill beside the stream, in the bell that swung out its summons to the crowded borough-mote, in merchant-gild and craft-gild, lay the life of Englishmen who were doing more than knight and baron to make England what she is, the life of their home and their trade, of their steady battle with oppression, their steady, ceaseless struggle for right and freedom. In the silent growth and elevation of the English people the boroughs led the way."²

Some of the main rights of boroughs are here enumerated.

¹ Domesday, S.A.C., lit. trans. xv.a.

² Green, *Hist. of the English People*, I. 173.

Others were the right of the old English trial by oath instead of trial by arms (a custom introduced into England by the Normans), the right to exact toll from strangers, to hold markets on certain days, and many valuable trading concessions.

Such then was the nature of the boon obtained for Arundel by Earl Roger, and it is with the defence of its privileges as a borough that much that is interesting in the past history of the town is connected.

The size of the town at this early period may be gathered from the entry in Domesday. The thirteen haws there mentioned were probably the houses of the principal burgesses. Tierney, however, arguing from the word "haga" (translated "haw") being used, draws the conclusion that it consisted of nothing more than about seventeen habitations of the poorest description; and, defining the term "burgess" simply as an inhabitant of a borough, he is of opinion that nothing in the nature of a civic community could have existed at the date of the compilation of Domesday. But in Domesday, as Sir Henry Ellis points out,¹ "haga" and "domus" (a house or residence) appear to have been synonymous; while Tierney's definition of "burgess" is certainly incorrect, since in the reign of the Confessor and at the time of the Survey the term was chiefly applied to tradesmen, who, trading under the protection of a patron, paid an acknowledgment, either in money or in service, for so doing. Moreover, the erection of a town, however small, into a borough, carried with it, as has been stated, certain well-defined rights, and as the exercise of these rights would necessitate some form of local administration, it is only reasonable to suppose that where a borough existed, some form of local self-government, possibly under a chief burgess, also existed. Whether the appointment of chief burgess was made by the Lord of the Manor, or, as in the case of London in the time of the Conqueror, by the king himself, is immaterial to the contention that when Domesday was compiled an organized local administration, the forerunner of the present municipal body,

¹ Ellis, *Gen. Intro. to Domesday*.

existed in Arundel; and that consequently the town was then in a much more advanced condition than Tierney is willing to admit. In support of this, attention may be directed to the mention of its port, to the customs derived from the ships frequenting it, and to the increased return from the mill.

The Fishery The fishery alluded to in Domesday was probably in the mill stream, the inclusion of a fishery in the valuation of a mill being found in other parts of the Survey. Of the mill itself, there is no real foundation for the theory¹ that it was situated in Park

The Mill Valley. On the other hand, there is every reason to believe that it stood at the head of the stream by which Swanbourne Lake discharges itself into the river, that is, on the site afterwards occupied by the old mill painted by Constable.

But if Earl Roger was solicitous for the material welfare of the town, he was no less earnest in providing for its religious advancement. In Domesday two ecclesiastical establishments, the Parochial Church of St. Nicholas, already spoken of, and the Chapel of St. Martin, are mentioned. The endowment of the former consisted of a permanent revenue of 24 shillings derived from the customs of the borough, together with the 26 hides of land in South Harting granted in the time of the Confessor. The latter was now a portion of the Earl's property, and he confirmed the grant of it to the church; the church itself being included among the extensive possessions with which he endowed the church and abbey of St. Martin de Sais in Normandy: this, which had fallen into decay, had already been restored by him.²

Church of St. Nicholas Whether he added to or rebuilt the Church of St. Nicholas it would be impossible to say, since no vestige of the original building now remains. It appears to have consisted of a choir and nave, the latter separated by an enclosure from the former, and extended, probably, on each side, by the addition of aisles. Four chapels, at least, were contained beneath its roof. The names of "St. Catherine's Chancel," "The Chancel of St. Leonard," that

¹ Evershed, *S.A.C.*, xviii. 120,

² Tierney, p. 577.

of "St. Giles," and the "Chapel of the Blessed Virgin," still survive; and the bells, which are afterwards mentioned as a source of serious expense to the parishioners, evidently proclaim the existence of a tower of some magnitude.¹ Of the Chapel of St. Martin still less is known. It was situated over the entrance to the Keep, and it formed the oratory of the garrison. Domesday records it as enjoying an annual rent of twelve pence, payable by one of the burgesses of the town. It is possible that Earl Roger may have been its founder, but if so, it was probably preceded by a still earlier chapel of Saxon date, as has already been suggested.

1087

In 1087 the Conqueror died. To his elder son Robert he left Normandy. To his younger son William, known in history by the appellation "Rufus," he bequeathed England. This arrangement suited neither Robert nor several of the chief barons who had estates in both countries, and who considered that the elder son should by right, as well as for their own convenience, succeed to the sovereignty of the whole of his father's dominions. Robert determined to wrest England from his brother, and Earl Roger, espousing his cause, made arrangements for his landing at Arundel. This done he hastened to Shrewsbury, one of his many possessions, and, having placed it in a condition of defence he hurried on to invest Worcester, which was held by the supporters of William Rufus. Here, however, he suffered a severe defeat which induced him to swear fealty to William. His defection ruined Robert's hopes and brought the rebellion to an end. Shortly after-

1091

wards, in 1091, a project for the acquisition of South Wales was set on foot by the barons. It was approved by the king, and Earl Roger was placed in command. The success of his arms bore down all opposition on the part of the natives, and he was speedily master of the country. He took the castle of Baldwin, seized the principal town, and having established his authority in the district, gave his own name to the city, and to the county of which it was the head. It is still known by the name of Mont-

¹ Tierney, p. 576.

gomeryshire. Three years afterwards he died. "As he perceived his end approaching, the attachment he had always felt to a religious life induced him to solicit admission to the abbey which he had founded at Shrewsbury. There, with the consent of his Countess, he assumed the habit, and, three days after, July 27, 1094, calmly expired.

1094

He was buried within the walls of the abbey, where a magnificent tomb was erected to his memory."¹ Shortly before his death he made a grant of certain lands to the monks of the Abbey of Seez to enable them to establish a priory at Arundel. "Its foundations were laid on the site of a decayed dwelling, probably within the town, yet at a distance from the church of St. Nicholas."² Of him, Orderic, a contemporary historian, says: "He was a man of exemplary prudence and moderation, a great lover of equity, and of discreet and modest persons."³

Such was Roger Montgomery first Earl of Arundel, the commander of the central division of the Norman army at Senlac, the munificent patron of religion, and the nobleman to whom the town dates back its rights and privileges as a borough.

¹ Tierney, p. 151.

² *Ibid.*, p. 578.

³ Orderic, p. 522.



PYNHAM PRIORY, 1792.



THE PARISH CHURCH, 1780.

CHAPTER III

Hugh Montgomery—Robert de Belesme—Henry I at Arundel—
Confiscation of Castle and Town—Priory of St. Nicholas—
Queen Adeliza—Matilda at Arundel—Priory of Pynham—The
Bridge—The Brooks—King John at Arundel—The Forest of
Arundel—Hugh de Albini.

EARL ROGER, following the Conqueror's example, bequeathed his English possessions to his younger son Hugh, called by the Welsh, "Goch," or the redhaired. Earl Hugh, acting very much as his father had done in 1088, headed a revolt against William Rufus in 1095. But the insurrection failed, and the Earl was only pardoned on the payment of a fine of £3,000. The spring of 1097 saw William Rufus at Arundel. According to Tierney,¹ who quotes Brompton, he landed at its port on his return from Normandy and celebrated Easter at the Castle. Another version,² evidently connecting the visit with the submission of the Earl at the close of the rebellion of 1095, speaks of the king taking possession of the Castle. In the following year Earl Hugh was killed in an engagement with the Norwegians in Anglesey, which they had attempted to seize. He died without issue and was succeeded by his elder brother Robert, who by his father's will already possessed the Normandy estates, and who, from the inheritance of his mother, was generally known as Robert de Belesme.

On the death of William Rufus in 1100, his brother, as Henry I, became king of England. But a compact had previously been made between William II

¹ Tierney, p. 55.

² S.A.C., ii. 132.

and Robert Duke of Normandy, by which on the death of either, the crowns of England and Normandy were to be united in the person of the survivor. In pursuance of this agreement the Duke claimed England, and Belesme declared himself the partisan of the Duke. Henry immediately prepared to defend his title, and the Duke, who had landed at Portsmouth, quickly returned to his own kingdom. This left Henry free to deal with Belesme. In a few days he appeared with his army before the Castle of Arundel, which he closely invested. Thence he hastened to Bridgnorth, of which in three weeks he gained possession. The Earl himself was in Shrewsbury trusting to the inaccessible nature of its situation to protect him. But the sudden appearance of the king dissipated his hopes; in despair he came forth from the Castle and implored his sovereign's clemency. Henry spared his life, but ordered him to quit the country forthwith, and confiscated all his castles, honours and estates to the Crown. Malmesbury says that Belesme surrendered at Arundel, but this is at variance with the account given by other historians.¹ All writers of the time are, however, agreed that he was throughout his career the personification of rapacity and cruelty. For his earlier barbarity in Normandy, he had been excommunicated by the Bishop of Seez. He spent the last four years of his life in close confinement in the Castle of Wareham, in

1102

Dorset, where he died in 1118. With his banishment in 1102, the connexion of Arundel with the house of Montgomery terminated. From that date until the death of Henry I in 1135 its Earldom and Honour remained in the hands of the king.

Henry I

As has already been seen, the Castle and town owed much to Roger, first Earl of Arundel; to his successors, Hugh and Robert, they owed nothing.

During the stormy lives of the second and third earls, little progress had been made with the erection of the Priory of St. Nicholas, whose foundations had been laid shortly before Earl Roger's death: but on the confiscation of the property to the king the building was

Priory of
St. Nicholas

¹ Tierney, p. 163, note.

completed. "Henry willingly offered his patronage to the infant priory; four monks, from the Abbey at Seez, were selected as the occupants of the new establishment; and a fifth, named Gratian, appointed for that purpose, was intrusted, in the character of prior, with its superintendence. Before the end of the year, Gratian, with his little community, had taken possession of the priory; and, from that time till 1176 the monks appear to have attracted little notice."¹

1135 Henry I died in 1135. By his will he settled in dower all the honours and estates which he had acquired in Sussex, by the forfeiture of Belesme, upon his widow, Queen Adeliza. She took as her second husband, William de Albini, surnamed "William with the strong hand" from a legendary story which says that, during his residence at the French court, being decoyed, by the jealousy of its queen, whom he had refused to marry, to the den of a lion, and suddenly enclosed with the animal, he wrapped his mantle round his arm, and, thrusting his hand into its mouth, tore out its tongue by the roots.²

William de Albini was the eldest son of the William de Albini who had accompanied the Conqueror from Normandy, and who had obtained from that monarch the Lordship of Buckenham in Norfolk, together with the office of Chief Butler to the king. Little is recorded of him in history before his marriage with Adeliza, by means of which he became, in her right, fourth Earl of Arundel.

Stephen On the death of Henry I, his nephew Stephen of Albemarle was proclaimed king, although Henry before his death had forced the nobles and clergy to swear allegiance to his daughter the Empress Matilda. The country as a whole was on the side of the new king, the supporters of Matilda, through their dislike of being governed by a woman, acquiescing in his succession. Thus it might have remained, had it not been for the violent methods of the new ruler. These, however, soon reached

¹ Tierney, p. 578.

² Dugdale, Bar, I, 118, 119.

such a point that an invitation was sent to Matilda to come to England and lay claim to the throne. It is said that Albini was one of those who counselled this course. Matilda landed in 1139 and at once proceeded to Arundel Castle, where she was received by the Earl and by her step-mother Adeliza. Apartments in the Norman Gateway were placed at her disposal, and preparations made for a vigorous defence. On receiving intelligence of her arrival, Stephen hastened to Arundel and laid siege to the Castle. According to Malmesbury, the intercession of Adeliza and the laws of chivalry induced him shortly afterwards to raise the siege, and to allow the Empress to join her adherents at Bristol. A more probable, although less romantic, explanation of his action is, however, that it was due to the advice of some treacherous councillors, who represented the Castle as being absolutely impregnable, and that, by permitting Matilda to escape to her half-brother in the west of England, he would shut up the whole force of his opponents in one corner of the kingdom, and thus be enabled more easily to extinguish the war.

It appears that the Castle sustained no damage at this time, and that with Matilda's departure from it, the efforts of Albini in her cause seem to have terminated ; henceforth he proved himself the steadfast and faithful adherent of Stephen. In 1153 he succeeded in effecting a reconciliation between the king and Henry of Anjou, son of Matilda, by which Stephen adopted Henry as his successor. This service was not forgotten by Henry : in the first year of his reign he conferred on him, and on his heirs for ever, the honours and possessions which, till then, he had held only as the dower of his wife ; invested him with the additional dignity of Earl of Sussex ; granted him livery of the third penny from the pleas of the county ; and attached him to his court in various offices and employments. Later he appointed him one of the embassy to the Pope with reference to the conduct of Thomas à Becket, and in 1173 he placed him in command of the royal army, both on the Continent and in England, which crushed the

rebellion raised by the turbulent designs of the king's sons.

1176 Albin died at Waverley, in Surrey, in 1176, and was buried at Wymundham.¹

In conjunction with his wife, he had founded the

Priory of Pynham Priory of Pynham, near Arundel. The precise date of its foundation is unknown; but as

1151 Adeliza died in 1151 it must have been previous

Its Charter to that year. The foundation charter and deed

of confirmation of it by the Bishop of Chichester state that the foundation of the priory was due to the desire of Adeliza to provide an asylum for two Augustinian canons, whose duty it should be to officiate in the Chapel of St. Martin in the Keep. The foundation deed is very short, and is addressed "to the Bishop of Chichester, and all barons and their vassals in France as well as in England, belonging to the Honour of Arundel, and to all the faithful of God's holy church." By it she gives to William and Reinbroke, her chaplains, a parcel of land, beyond the bridge of Arundel near to the highway, called Pynham, for the support of two chaplains, who were constantly to pray for the soul of her late lord and husband, King Henry. She also made the canons the custodians of Arundel bridge and causeway²; this latter, according to Tierney, being their principal duty.³

For the support of the canons, Adeliza made a grant of one bushel of corn to be delivered from the Swanbourne mill; and they procured for themselves and their successors, a supply of 13 cords of wood for fuel, to be cut each year in the forest of Arundel, together with whatever quantity of timber might be necessary for the constant and effectual repairs of the bridge. The bridge itself, Turner

The Bridge states, without, however, giving his authority, had been built by Adeliza upon taking up her residence at the Castle. If this be taken in the sense that the first bridge owed its construction to her, the statement is open to grave objection, since, as has already been stated, Arundel, at the time of the Roman occupation, was a military station on their coast-road to Pevensey. This road must have crossed

¹ Tierney, p. 173.

² Turner, *S.A.C.*, xi. 89.

³ Tierney, p. 683.

the valley along very much the same line as it does to-day, and some kind of bridge over the channel of the river must have formed a necessary part of it ; since, although the levels of the valley prove that it was regularly flooded at high tide, a deeper portion, forming the bed of the river, probably existed even in earliest times. It is quite possible that Adeliza erected a new bridge at, or near, the site of the older one, which may have disappeared long before her coming to Arundel.

Of the nature of the bridge, it is probable that it was merely a part of the causeway raised on wooden piles, the causeway, as its name indicates, being composed of chalk. This view is not, however, universally accepted, and some evidence, at least, can be adduced to support the contention that the whole of the causeway consisted of piles carrying a structure of wood,¹ very similar to that over the Adur at Old Shoreham. Thus, it was the usual, although not the invariable, means of communication across the mud flats in the south of England as far west as Southampton ; the valley of the Arun was, as late as the fifteenth century, regularly flooded, necessitating free entrance and egress for the water, and the hundred loads of timber given by the Earl towards the rebuilding of 1643-6, and insufficient for that purpose, would seem more than enough for a bridge over the river itself. On the other hand, the term " mud flats " applied to the Arun valley must be regarded as a misnomer, since the land in question was used, from a very early date, for the pasturage of cattle, while the hundred loads of timber referred to were for the rebuilding of 1643-6, i.e. subsequent to the state of affairs depicted by Hollar in 1642, in which the causeway is shown as a road and the only structure of wood is the bridge over the river. Possibly, prior to the rebuilding of 1593, the causeway as well as the bridge may have been of timber throughout, but, if so, it would seem strange that no allusion is made in the records of that reconstruction to so important an alteration, a reconstruction, moreover, which was com-

¹ " De ligni et tabulis Calcetum solidum viatoribus fecit." Du Fresne : *Kennett's Glossary*.

pleted in less than five months. The bridge and causeway formed the connexion between the ground on which the Castle and town were situated, and the hill on the opposite side of the valley. It was at the foot of this hill that the Priory was built; from its proximity to the causeway it derived the appellation "de Calceto," by which "de Calceto" it was more commonly known. It was anciently extra-parochial, its priory Church forming the nucleus of a small district (part of which, according to Dallaway, consisted of about forty-three acres of marsh-land, called "Canonbernes," lying between Lyminster Church and the river, and for which the prior paid $\frac{1}{2}$ lb. of pepper annually) co-extensive doubtless with its own surrounding domain. The church itself was erected at a somewhat subsequent date to the priory, and was dedicated to St. Bartholomew, the Apostle and Martyr, who is usually considered the patron saint of hospitals; and of causeways and bridges.¹

After the death of Adeliza, the establishment was enlarged and the number of canons increased to six. This necessitated a larger endowment: it was provided by the Earl assigning to them, by a deed or instrument (the original of which is believed to be among the Cowdray estate muniments), the fishery on each side of the bridge to the extent of a furlong, the right of pasturage in "The Brooks" the "brooks," in common with the burgesses, for 14 cows and 2 bulls, the privilege of turning hogs into the park and forest of Arundel, and the power of claiming a joint share, with the tenants of the Earl, in all the common pastures within the hamlet of Wepham.

The brooks alluded to consisted of about 100 acres of meadowland lying to the south-east, between the Castle and the river. It will be seen from the above that the burgesses had already the right of pasturage for the same number of cattle, which was now accorded to the canons. At what period they acquired, or to whom they owed this right, there is no means of establishing: ² probably it had

¹ Turner, *S.A.C.*, xi. 89.

² There is no evidence in support of the statement, made by the Rev. W. Groome in his diary (1780), that William de Albini granted

been granted by Earl Roger, who had obtained for them their privileges as a borough : but, that a right of pasturage for a certain number of animals was all that had been conferred and not a gift of the soil, is not only clear from the above, since the permission to the canons emanated from the Earl and not from the burgesses. It is further completely established by the use of the words " in prato meo " (in my meadow), by which Albini describes the pasture in the deed referred to. The importance of this distinction in its bearing upon the subsequent history of the town, will presently be explained.

From the death of William de Albini until 1191 the Castle of Arundel with its appendant dignities and possessions were withheld from his eldest son William, who, nevertheless, had received from the king the investiture of the Earldom of Sussex in 1177. Throughout these years, for some unexplained reason, they remained in the possession of the Crown.

During the royal ownership an important change was made affecting the priory of St. Nicholas. Hitherto it had existed as a separate and private foundation, unconnected with parochial duties. In 1178, however, the rectory of Arundel having fallen vacant, William de Albini, the second Earl of his family, proposed by annexing it to the priory, to consolidate the two establishments, and unite the parochial with the conventual church. His offer was gladly accepted. The former priory was forthwith abandoned by its inmates, and the rectorial dwelling, adjoining the church, was converted into a residence for the prior and his monks. Thus occupied, it continued during two centuries, to be known as the convent, or priory, of St. Nicholas.¹

William de Albini (1191-1196), 5th Earl In 1191 the estates were restored to Albini on payment of 2,000 marks. In the same year he was appointed to the custody of Windsor Castle, with charge to preserve it for King Richard, who a " charter " to the burgesses by which the right of pasturage was secured to them.

¹ Tierney, p. 579.



FITZALAN CHAPEL, 1824.

Digging the grave of Lord Henry Thomas Howard. Canon Tierney's head emerging from vault



FITZALAN CHAPEL, PRESENT DAY.

was absent in Palestine, during his life, and to deliver it to John in the event of Richard's death. In 1194 he was one of the receivers of the money raised for the king's

1196

ransom. He died in 1196. On his decease his titles and possessions passed to his eldest

William de
Albini
(1196-1216)
(1216-1221),
6th Earl

son William, who, throughout John's long quarrel with the Church, loyally supported the king. In April, 1206, May, 1209, and again in

1206

1209

1213

April, 1213, John, whose rapid powers of locomotion were the wonder of the age, stayed at

Arundel Castle. The occasion of the last visit may have been connected with the king's final submission to the Church; since a month after it, May, 1213, he knelt before the legate Pandulf, surrendered his kingdom to the Roman See, took it back as a tributary vassal, swore fealty, and did liege homage to the Pope; ¹ and William de Albini, sixth Earl of Arundel, third Earl of Sussex, affixed his name as a witness to the disgraceful instrument which inflicted this humiliation on the crown of England. His association in this affair formed a fitting prelude to his support of the king during the early struggles of the barons against the despotic tyranny established by John.

1215

In 1215, however, his allegiance began to wane since, although he was present at Runnymede as an adherent to the king's cause, his name was inserted at the head of the "Great Charter," among the councillors who had advised it; and he was one of those who, on the part of the king, bound themselves by oath to obey the injunctions of the twenty-five nobles appointed to enforce the execution of its provisions. John proved faithless to his oath, and, in the following year, Albini seceded entirely and joined the standard of Louis, the son of the French Monarch, who had landed in Kent to claim the crown which had been offered to him by the barons. John at once confiscated the Arundel estates; but his own death

May, 1216

Oct., 1216

six months later, and the succession of his son Henry to the throne, was immediately followed by their restoration. About this time a dispute arose

¹ Green, i. 236.

between Albini and the prior of St. Nicholas. The Earl
Albini's
Dispute had requested the performance of certain prayers
in the church of the priory; but the existing
prior, Nicholas, on the part of the monks, rejected the
application, and asserted their absolute immunity from
every species of service to the patron. The Earl, resolving
to make the offenders feel the weight of his resentment,
demanded to know by what title they held the appropriation
of the church in question. A long course of litigation
ensued. At length the controversy was referred to the
decision of the Bishop of Chichester, who pronounced the
following decree: "That the said religious, the prior of
Arundell, and monks, and their successors, cause to be
devoutlie celebrated amongst them, by turne, by the month,
one masse for the soules of the Earles of Arundell deceased,
of whose names it shall and will lawfully apeare; another
masse for the Earle living, for the tyme being, by fifteene
daies: and that the said church of Arundell, with all the
rights to the rectorie or parsonage of the same belonging,
may fully remayne, and bee forever hereafter, to the said
religious, the prior of Arundell and monks and their suc-
cessors, appropriated, to be possessed to their owne uses,
except the great tithes of the lands underwritten, assigned
to the augmenting of such vicaridg. And the same church
of Arundell to them, of our liberality, wee doe appropriat;
saving the perpetuall vicaridg in the church aforesaid." ¹

By this decision the contest was terminated for the
present. It should here be mentioned that some doubt
about the exact date of this dispute exists: possibly the
whole affair should be referred to the time of Hugh, eighth
Earl of Arundel. The concluding portion of the Bishop's
decree deals with a controversy, which evidently subsisted
at the same time, between the vicar and the monks, relative
to the tithes belonging to the former. The ordinance thus
proceeds:

"The vicar wch now is in the church of Arundell aforesaid and
his succors, vicars, there hereafter to be made, may fully and

¹ Tierney, p. 580.

wholly p̄ceive and take all oblacons in the same church, from daie to daie to be made, wch doe not exceed seven-pence halpenny, three daies excepted, viz. the Nativitie of o^r Lord, the purificacon of our Lady, and Easter; in wch daies, they may yearly p̄ceive and take, of the offerings of the said chirch, in the name of a stipend of a secundarie preist, twoo marks of silver; all the residewe of the oblacons (the lights for the necessarie uses for the prior and monks excepted) they shall faithfully bestowe and lay upp. Also the vicar of Arundell, for the tyme being, shall p̄ceive and take all small tithes of the same p̄ish, viz., of milk, wool, lambs, calves, gees, piggs, herbage, pasture, herbes, gardens, bees, doves . . . and of croftes, or small landes, wch in the same p̄ish shalbe digged wth feete or manuall instrumts, by the hands only of men and women there," or "as shalbe tilled in messuages or in gardens, in steed and place of curtilages. And the third pt of all tithes of hay, whersoever the said prior, or monks, as p̄sons of the said church of Arundell shall have, p̄ceive, and take all other small obvencons of the same p̄ish, to the same church due by the right of the p̄ish, and hitherto accustomed. And, because wee see the porcons, to the same vicaridg belonging, as aforesaid, of old tyme assigned to the vicar of the same place, to his charges to bee borne not to suffice, wee doe assigne to the said vicar, and to the same vicaridg, for ever, in augmenting of the same, all great tithes comeing of certain lands in the p̄ish of Arundell aforesaid" (here follows a description of the situation of these lands). "Also the said vicar for the tyme being shall mainteyne and susteine, at his chardges, one secundarie preist, a meete fellowe in song and readinge, serving in the said church, and for the ayd and help of the same vicar, in the same p̄ish; and shall prepare holy bread, att easter, at his owne cost, to bee distributed to his p̄shioners: and if p̄chance, the said vicar should want a followe, by a yeare, he shall give to us, and or successors, or to the founder of the church of Chichester, for an alms, xxs. sterlinge; and to the monks, on this side the ffeast of St. Thomas, the Apostle, half a mark of silver, helping them in songe and celebrating of masses only, by whom wee will not have any other thinge to be done, that belongeth to the cure of soules, except in the immaculate (immediate?) veiwe of death. Ffurthemore, the said religious, prior, and monks, for thetyme being, shall finde, throughout the yeare, wyne and bread, to celebrate in the said church, and franckincense for incense: and the chauncell of the said church, at their costes, shall cause to be repaired, as often as need shall require; and, if all fall or decay, shall cause newly to bee builded. And the same religious shall finde, in the same church, books and ornaments agreeable, as often as it shalbe needfull; but the vicar, at his p̄ill, shall honestlie keepe the same under his trusty and faithfull custody, except a chance cometh, wherein the vicar is not to be blaimed. And the said vicar, at his costes, shall doe

the same reþaçõs of the same books, and ornaments, viz., in binding and covering of the books, and sowing of vestments broken, and washing the same. The said vicar and þishioners, all sondaies, and ffestivall daies, throughout the year, notwithstanding any inclosure aboute the church of Arundell, made, or to be made, may have free egress for þcession to be made. Wee do decree, that the morninge office and masse, before the third hower of the daie, commendaçõ of sowles, Placebo, Dirgis, and completorie, before the sunnesett of the daie, shalbe daily celebrated in the said church, by the said vicar, or his fellowe. Also we command the chancell dore of the quire of the said monks, from the end of the great masse, unto the first hower of the day following, to be shutt by their sacrist ; and the outward dores of the church to be shutt by the said vicar, or by his beneficed clerk sworne, soe that the wandring monks goe not out, at their pleasure, to behold the vanities of this world. And yt the ringing be at such howers as of right they ought to ring, according to their rule. Also, that the vicar, and his fellowe, and clerk beneficed, when they shalbe required, shall help the said monks, every double ffeast celebrated according to their rule, at the first and second eveninge praier, and at the great masse, and, the same day, shall dyne wth them, unles they may lawfully bee excused. Also the said religious shall finde strawe, twice in a yeaere, to the said church, and the vicar once. And because wee understand the þishioners of Arundell many tymes to be greived wth fenceing of the church-yard, and amending of the bells, some-tyme when they are broken, wee doc decree, that the chauncell of St. Catherine's, St. Leonard's, and St. Giles's to be covered, at the costes of the said religious, as often as it needeth. And the said vicar shall beare and allowe all ordinarie chardges of the same vicaridge, as to the rights belonging to the Bp. and archdeacon. Also the said religious shall fully allow and beare the ordinarie and extraordinarie chardges of the said church of Arundell, by any way or meanes touching or cõfning the rectorie or þsonage ; and shall make obedience to the ordinaries, for the said church. Also the prior, or monks for the tyme being (the priory being voyd), to us and or successors, or els (the see of Chichester being voyd) to whom þsentaçõs of benefices ought to be made, shall þsent a meete þson to the same vicaridge when the same shall happen to be voyd." ¹

1218 In 1218 the Earl embarked for the Holy Land, in order to join the crusaders who were besieging the ancient city of Damietta.

He was present at its capture in the following year ; but on his journey home, in 1221, he was taken ill and shortly afterwards died at a village near Rome. His

¹ MS. in the possession of the vicar.

body was brought to England and interred, with those of his ancestors, at Wymundham. Of his eldest son and successor William, history has recorded nothing. He died without issue, in 1224, and was buried at Wymundham. He was succeeded by his brother Hugh, the fifth and last Earl of his family, who owing to his minority, did not enter into the enjoyment of his estates until 1234. His first care, however, on assuming the management of his property, was to rectify the abuses to which it had been exposed during his minority. Of these the principal was the depredations which had been committed in his forest of Arundel. The forest was of no inconsiderable size: its boundary extended from Fishbourne to Crockerhill and Avisford: thence it diverged southward to Cudlow, on the coast, and abruptly changing its course, returned along the river, in a northerly direction, through the marsh of Tortington, ascended the hills behind Arundel and descended the opposite declivity to Houghton and Bury. From that point it passed westerly, till it reached Nomansland. There it turned to the right, crossed the hills to Cocking, North Merdon and Compton, and suddenly wheeling south, terminated near the entrance of the present Chichester harbour.¹

The attention of the young Earl was soon directed to these depredations. It was found that one of the most constant as well as most formidable trespassers was Edmund, Archbishop of Canterbury, who asserted an unlimited right to hunt in any forest within the kingdom, at his pleasure. The Earl at once issued instructions to his foresters to prevent the future intrusion of the prelate. The Primate replied by declaring this to be an attack upon the immunities of the Church: its author was denounced as the oppressor of religion; and a solemn sentence of excommunication was forthwith issued. Instead, however, of yielding to the terrors of these spiritual thunders, Earl Hugh appealed to the supreme authority at Rome; and when Edmund arrived at that court, in 1238,

¹ Tierney, p. 25.

to prosecute another suit, he had the mortification to find that his sentence was reversed, and that the expenses of the proceedings, amounting to no inconsiderable sum, were to be defrayed by him. But this decision failed to terminate the contest. The successors of Edmund still continued to urge the Earl to resist the disputed claim; altercation succeeded altercation, without determining the rights of either party; and, as will presently be seen, more than twenty years elapsed before the question was finally settled. During the time that the sentence of excommunication was in force, Henry the Third had become affianced to Eleanor, daughter of Raymond, Count of Provence: the ceremony of the nuptials was immediately followed by the coronation of the royal bride. Earl Hugh claimed his hereditary privilege of acting as the monarch's cup-bearer on the occasion. It was, however, decided that, in consequence of his excommunication, he was incompetent to discharge the duty: and Earl Warren therefore, his father-in-law, assisted by Michael Belt, the hereditary under-butler, performed the function, and received, as the perquisite of the office, the gold cup from which the king drank at the entertainment. It is not improbable that the mortification which he felt, at this exclusion from the honours of his family, may have influenced the Earl in hastening his appeal to the Roman See: his success, however, in the prosecution of that appeal seems only to have called forth another adversary, in the person of Ralph Neville, then Bishop of Chichester. That prelate enjoyed,

Dispute with
Bishop of
Chichester

as an appurtenance of his bishopric, the right of hunting in one of the chases within the Honour of Arundel: but this right, which was not exclusive, had always been shared in common with the possessors of the earldom; and, Earl Hugh in the exercise of his own undoubted privilege, was in the habit of pursuing his diversion within the limits of the same ground. Having determined, in 1240, to claim the sole property in the chase in question, Ralph's first step was to deny the liberty of the Earl within its precincts; his next, to denounce the penalty of excommunication against any

attempt to enforce it : but the Earl, hastening to the royal presence, laid the statement of his case before the king. Henry wrote at once to the bishop : he detailed the complaint he had heard : he ordered him to reserve his spiritual censures for spiritual objects : and he concluded by informing him that, if he had any claim of a secular nature to urge against the Earl of Arundel, he must pursue it in the secular courts. This brought the pretensions of the bishop to an end. Three years later the Earl died. He had been married to Isabel, daughter of William, Earl of Warren and Surrey, by whom, however, he had no children : so that the personal dignity of Earl of Sussex fell into abeyance between his four surviving sisters, and the local title, which he derived from the Castle of Arundel, was transferred to John Fitzalan, the inheritor of that property.¹

¹ Tierney, p. 191.

CHAPTER IV

John Fitzalan—The Dominicans settle in Arundel—First mention of a Mayor—The Court Leet—Its Function and Importance—Coroner—Portreeve—The Market—Edward I at Arundel—Fairs—Richard Fitzalan—His Excommunication—Enlarges the Castle—Builds the Town Wall—St. Mary's Gate—The Water Gate.

JOHN FITZALAN derived his descent from Alan, who accompanied the Conqueror to England in 1066, and who received in return for his services, the lordship of Oswaldstre in the county of Salop. To this, William, grandson of Alan, had added, by his marriage, the extensive lordship of Clun: so that John Fitzalan, grandson of William, when he acquired the earldom of Arundel, which he did as son of Isabel, second sister and co-heir of Hugh de Albini, brought with him the titles and possessions of Clun and Oswaldstre.

The successor of the last of the Albinis at first threw in his lot with the nobles who were in opposition to the king, combining with them in enforcing upon Henry "the Provisions of Oxford." In 1221, however, he seceded from the confederacy and joined the king, for whom, in 1264, he successfully defended the Castle of Rochester, but with whom, a month afterwards, he suffered defeat at the battle of Lewes: at the termination of that disastrous engagement he found himself, with his sovereign, in the hands of the victorious barons. By the "Mise of Lewes" he was released, but a security for his future peaceable conduct, in the shape of the instant surrender of Arundel Castle, or the delivery of his son as hostage, was demanded. Which



ST. MARY'S GATE, 1792.



ST. MARY'S GATE, 1922.

course he adopted does not appear. He died in 1268, and

1268

Henry, to testify his gratitude for the services which he had rendered to him, ordered a sum of

£200, due to the royal exchequer from his estates, to be distributed among the poor for the benefit of his departed soul.¹ During his lifetime, or more probably during that

The
Dominicans

of his predecessor Earl Hugh, a priory of Dominicans, or Friars Preachers had been established at Arundel. The Dominicans, Friars Preachers, or Black Friars as they were sometimes called from the colour of their head-dress, owed their origin to Dominic Guzman, a Spaniard of noble birth, who was a Canon Regular of St. Augustin in the cathedral of Osma. Dominic's zeal had been fired by the state into which the Church had fallen. "Never before had the priesthood wielded such boundless power over Christendom. But its religious hold on the people was lessening every day. The old reverence for the Papacy was fading away before the universal resentment at its political ambition, its lavish use of interdict and excommunication for purely secular ends, its degradation of the most sacred sentences into means of financial extortion. In Italy . . . the poets of Florence denied the immortality of the soul, and attacked the very foundations of the faith itself. In Southern Gaul, Languedoc and Provence had embraced the heresy of the Albigenses . . . even in England there was a spirit of resistance towards the interference of Rome with its national concerns. The disuse of preaching, the decline of the monastic orders into rich landowners, the non-residence and ignorance of the parish priests, robbed the clergy of spiritual influence . . . Bishops and deans were withdrawn from their ecclesiastical duties to act as ministers, judges or ambassadors. Benefices were heaped in hundreds at a time on Royal favourites. . . . Abbeyes absorbed the tithes of parishes, and then served them by half-starved vicars, while exemptions purchased from Rome shielded the scandalous lives of canons and monks from all episcopal discipline." ²

In order to counteract these abuses and to bring back

¹ Tierney, p. 199.

² Green, i. 280.

religion to the homes of the people, Dominic founded his order in 1215. The work he proposed to do
 1215 "was to be done by the entire reversal of the older monasticism . . . by exchanging the solitary of the cloister for the preacher, the monk for the friar." The new brethren "were bound by the three great vows of obedience, chastity, and poverty . . . perpetual abstinence from flesh-meat . . . and the exclusive use of wool in bedding and clothing were enjoined. . . . Their ministry was exercised up and down the country, in churches, highways, and byeways, in hearing confessions, in celebrating mass, and in administering the sacrament of the Holy Eucharist: and they taught from the professor's chair in the universities and the schools. The vow of poverty not only forbade the personal use of property, and the meum and tuum even of a book or garment, but also shut out the order from possessing in common any lands or rents beyond the bare site and shelter necessary for churches and dwellings. Thus stripped of all revenues, the Friars were cast on the charity of the people for their clothing, daily food, and maintenance, and subsisted on alms begged mostly from door to door." ¹

A detachment of thirteen brethren, from the parent priory at Toulouse, crossed to England, in 1221.
 1221 Everywhere they were received with enthusiasm, alike by the king and the peasantry, and within twenty years more than six hundred devotees had joined them. A few years after their arrival in England the order found its way into Sussex, and Arundel was selected
 Settle in Arundel as the home of its first establishment in the county. Here it is evident they met with the same appreciation as was extended to their brethren in other parts of the kingdom, since Richard de Wich, Bishop of Chichester, who died in 1253, mentions them in his will; and bequeaths to the "Friar's Preachers of Arundel," his "book of Sentenses, together with the sum of twenty shillings." ² The Bishop, moreover, chose as his spiritual director and counsellor, F. Ralph de Bocking, a Friar Preacher, who probably

¹ Palmer, *S.A.C.*, xxviii. 84.

² Tierney, p. 673.

belonged to their priory, then the only one of this order within the diocese of Chichester.

This F. Ralph was the Bishop's biographer and dedicated his "Vita S. Richardi" to Lady Isabel, widow of Earl Hugh: the dedication of it to her making it probable that she was a special friend and benefactress of the order, and, if so, it explains the choice of Arundel as the first centre of their labours.

In what part of the town they erected their priory and church is not certainly known, but several circumstances combine in locating it on the north side of Maltravers Street, on or near the site afterwards occupied by the Customs House and adjoining buildings to the west. In Hollar's view of the town, taken in 1642, a small church is visible, whose situation exactly corresponds with the above locality.

But the arrival of the Dominicans was not the only evidence of a desire within the Church to return to the days when its ministrations extended to the homes of the poor and afflicted. The lepers of Arundel, as in other places, were cut off, by the contagious nature of their disease, from the rest of the community. To provide for their

spiritual consolation the Church of St. James ad Leprosus, probably attached to a hospital for lepers, was founded at the end of the twelfth, or the beginning of the thirteenth, century. It is first mentioned in the escheat roll of the fifty-sixth year of Henry III

(1272). From that document we learn that its duties were performed by one chaplain; that the right of collation was vested in the Earl of Arundel; and that the annual value of the endowment, at that period, was forty shillings.

No trace now remains of the establishment. The reference to the chapel in the account of William de Hevere would place its site west of the Marsh Gate;¹ probably in the dell whence the ancient path led, and still leads, to Tortington and close to the south-east boundary of the old park.² The

¹ See p. 4, footnote.

² "For one panel of the new palisade to be made near to Parkwyse to the stile of Tortington." *Min. Accts.* *ibid.*

evidence adduced by Tierney¹ in placing the site in the dell which forms the south-west margin of the present park is unsatisfactory and directly conflicts with the position assigned to it relative to the gate in the valley.

John
Fitzalan
(1268-1272),
10th Earl

Of John Fitzalan, tenth Earl of Arundel, who succeeded his father in 1268, little is known. He died in 1272; and the succession passed to his son Richard, then a boy of only five years of age, during whose minority the property was administered by his mother and various other relatives. Under their administration the estates suffered many dilapidations, which formed the subject of an inquisition, at the Assize, held in

1269

Chichester, in 1269. At this inquiry it was found that the revenue derived by the Earl in 1272 from houses held in burgage, within the borough of Arundel, was only £4 13s. 4d.; and that the fines, from the Court leet added to the tolls from the market, returned to him an annual sum which was thought to average sixty

Richard
Dodins,
Coroner of
Arundel

shillings. At this Assize mention is made of the Coroner of Arundel: "Richard Dodins, Coroner of Arundell, is present and answers."²

The Coroner was one of the officials of the borough; he was annually elected by the burgesses, and his duties at this time were of a more extensive nature than subsequently.

1288

The borough itself was a feudal appendage of the Castle. In a plea, held in May, 1288, for the purpose of ascertaining its rights and privileges, it is expressly declared by the inhabitants that "they claim no liberty, except through their aforesaid lord, Earl Richard, and his ancestors."³

This must not, however, be taken to imply that their rights could be abrogated by the Earl, but merely that they owned him as their feudal lord, and as such paid to him the fines derived from his courts, and the tolls and other duties collected in its markets and fairs. Like the Castle, moreover, the borough was held "in capite" of the Crown; and the service, attached to the tenure, was that of furnishing five knights to the king, during the time of war. Its government

¹ Tierney, p. 680. ² Sussex Assize Rolls. ³ Tierney, p. 691.

was vested in the chief burgess, who directed the internal concerns of the community. At what period he assumed the designation of "Mayor" is not known, the earliest dated record being contained in a deed, in which William de Lucy of Arundel gives "a messuage, held by him in Potente (Tarrant?) Street, to the prior and canons of Calceto."

1312 This deed is dated 5 Edw. II (1312), and is witnessed by "John Alessandre, Mayor of

John
Alessandre,
Mayor of
Arundel

Arundel."¹ Another and possibly earlier deed,

which unfortunately is undated, records the gift of a "messuage and curtilage, near the bridge, by Emma Kingstone, relict of William de Broke," and this gift, to "brother Thomas, prior, and the canons of Calceto," is witnessed by "Richard Dodins, Mayor of Arundel."²

As has already been seen, a Richard Dodding was Coroner of Arundel in 1279; and since a brother Thomas was prior of Calceto previous to 1285, it is not improbable that, on the termination of his year as Coroner, the same Richard Dodins, or Dodding, was elected to the more important office of

1280 Mayor, i.e. in 1280. (The name, variously spelt Dodins, Dodding, and de Doddinge, occurs as witness to other deeds of gift to Calceto about this period.)

In addition to other duties, the Mayor had the sole execution and return of all writs within the borough; he

Court leet

Borough-
court

presided at the Court leet; held every three weeks a court called the Borough-court, where small debts were recovered and minor offences punished, and, from 1295, acted as returning officer at parliamentary elections.

The Court leet or View of Frank-pledge, the basis on which the principle of local self-government rested (since it furnished the occasion for the expression of the popular will), was held annually on the first Tuesday after Michaelmas Day, and was open to all the inhabitants of the town paying "scot and lot." At it, the Mayor, Coroner, Portreeve and other officers for the ensuing year were elected; licences were granted to the brewers and

¹ Turner, S.A.C., xi. 89. See Appendix III.

² *Ibid.*

bakers ; the assize of bread and ale was regulated ; presentments were made of all nuisances, civil trespasses and violations of the municipal law ; and fines were imposed and punishments awarded.¹

So important was the Court leet to the interest of the community, that a strict procedure, afterwards embodied in "The Articles" drawn up by order of Queen Elizabeth, regulated its summons and conduct. On some "convenient day," before the feast of St. Michael the Archangel, the steward of the court issued his "precept" to the Mayor, informing him that on the "Tuesday next after" the coming feast the Court leet of the Earl of Arundel would be held ; and enjoining his presence at it with a panel of "24 good and lawful men of the borough fairly written out." On the appointed day, as the hour fixed for the holding of the court approached, the town bell rang out ; the Mayor hastened from his house ; the burgesses and inhabitants flocked to the meeting place ; the panel was delivered to the steward, and, with the thrice-repeated cry of "Oyez ! Oyez ! Oyez !" the proceedings opened. In a "loud and clear" voice the steward called over the names on the panel, one of the "Serjeants at Mace" repeating them after him ; and not until his name had been called "three several times" could any of the twenty-four be deemed to be absent. If this, however, revealed any absentees the steward now requested the Mayor to fill up the vacancies thus caused, so that the jury might be completed. The Mayor thereupon selected the additional number required from among those present, preference being given to burgesses. The members of the jury were now solemnly sworn, each in turn as he answered to his name. The next business was the selection of the new mayor ; this office could only be held by a burgess. Two burgesses, neither of whom had been an unsuccessful candidate at the three preceding elections, were put in nomination by the jury, who then submitted names for the posts of Coroner, Portreeve and other offices ; finally the licences, presentments and similar matters were dealt with. The court now adjourned until the afternoon, when it again

¹ Tierney, p. 693.

met. At this second meeting the nominations were declared to the inhabitants, who then chose by a majority of votes from the names submitted, the Mayor and officers for the ensuing year ; in this vote the members of the jury were not allowed to take part. With the swearing-in of the new officials the proceedings drew to a conclusion ; the " old Mayor " surrendered the regalia ; the burgesses, in order of seniority, walked past his successor in single file ; the inhabitants acclaimed the succession, and the scene closed.

This whole procedure combined to safeguard the predominant influence of the burgesses and to provide a measure of popular control. By it the Mayor appointed the jury ; the jury decided the nominations ; and the people by their votes made the final selection. It should be noted that only those who paid taxes were qualified to vote. But the very strictness of these regulations, while essential to sound and stable government, afforded, as will presently be seen, frequent occasions for municipal disputes in which the rights of the electors were usurped, and what had once been a free assembly gradually sank into a close, and often corrupt, oligarchy.

Portreeve The office of Portreeve was of very early, probably of Saxon, creation. Until the period when the chief burgess became the recognized head of the local community, the Portreeve was the chief magistrate in all towns possessing a port. Later, when the burgesses grew to be the governing body, he declined into a subordinate official under the mayor, and eventually his office became extinct. In Arundel the name still lingers, in association with the plot of ground situated a short distance south-east of the bridge, and still known as the Portreeve's Acre.

The following notices, extracted promiscuously from some of the Court leet rolls, give a tolerably correct idea of the ancient polity of the borough :

" Henry Gaunt, Richard Clavell, and nine others, butchers, make an exorbitant profit on their meat, and are, therefore, fined in the sum of two pence each. Thomas Downer sells unwholesome meat, and is fined for such offence twenty pence.

"Alice Gilmin, John Penn, and two others, inkeepers, make exorbitant profits by their calling, and are, consequently, fined four pence each."

The bailiff presents the following :

"Robert Dunderhill, and William Hayward, who are by appointment the common bakers of the town, do not supply a sufficiency of bread, to the great inconvenience of the inhabitants : they are therefore fined, the former four pence, the latter sixpence."

"William Spencer has bought eggs and butter beyond the precincts of the borough, and before they had arrived at the market ; he is, therefore, fined two pence."

The ale-conners present the following :

"John Barbo, Roger Shadyngden, and others, brewers, refuse to sell a gallon of ale for one farthing, according to the proclamation of the mayor ; and they are, consequently, fined two pence each."

The constable presents the following :

"John Sonnyng has uttered malicious words against Laurence, the prior of Tortington, for which offence he is fined three pence."

"Gylvin Tastet has dice and cards in his house, and is, therefore, fined twelve pence." ¹

Markets

The right of holding the market, alluded to in the assize held at Chichester in 1279, was one of the most ancient privileges of the borough. This market, which was regulated by the Court leet, was held on Thursday and Saturday in each week. Tolls were levied upon all "strangers" using it, whilst the burgesses could not only expose their commodities for sale in it free from the payment of all dues, but they enjoyed the same privilege in every market within the Honour of Arundel ; a privilege which was successfully enforced in 1279, when Petworth sought to exclude them from the market in that town.

Edward I at Arundel

On July 26, 1285, Edward I visited Arundel and spent the night at the Castle. In the same year Earl Richard was permitted by the king to assume the management of his estates, although he was still three years

Grants of Fairs

under age, and a royal grant was made to him of two fairs to be held in the town, on the eve, day and morrow, of the respective feasts of the invention of the cross (May 3), and St. Nicholas (Dec. 6). Another, to commence on the eve of the exaltation of the cross (Sept. 14), and to

¹ Tierney, p. 693.



ARUNDEL CHURCH AND CLOISTER RUINS, 1780.



THE NEW GATEWAY AS PROJECTED IN 1809.

continue three days, is mentioned in 1288, and may possibly have been given at the same time ; but a fourth, of one day only, on the feast of St. Lawrence (Aug. 10), was probably granted at a later period.¹ Tierney, omitting to notice the king's visit, attributes the grant of the fairs, and the Earl's early release from wardship, to the result of the inquisition into the state of the property. It is difficult, however, to believe that this had any connexion with either, since the inquiry had been held in 1279, six years previously. It seems more reasonable to assume that both were granted as a mark of royal favour, upon the occasion of the visit.

The fairs were subject to the same regulations which governed the market ; and while they greatly increased the trading facilities of the burgesses, their tolls helped materially to supplement the Earl's revenues.

During Earl Richard's minority, the long controversy, which had commenced in the time of Hugh de Albini with the Archbishop of Canterbury, relative to the hunting rights in the Forest of Arundel, had been referred to arbitration, and a deed of agreement drawn up. This had been submitted to the king, and a charter of confirmation, dated October 16, 1274, had set the matter finally at rest. By it the Forest of Arundel was secured to the Earl and his successors, "free from all persons whatsoever" : but it provided that the Archbishop, on giving due notice to the Constable and Foresters should, once in the year, in going to and returning from his manor of Slindon, be allowed to hunt with six greyhounds ; that, however, neither dogs of other descriptions, nor bows of any kind should be employed on such occasions ; and that, if more than one beast was taken by the party, the Archbishop should select the best for himself, and deliver the remainder to the officers of the forest for the use of the Earl. It further stipulated that the Earl and his heirs should annually deliver to the Archbishops of Canterbury thirteen head of deer ; and that, in consideration thereof, the latter should acknowledge the exclusive right

¹ Tierney, p. 696.

of the Earls, and relinquish whatever claims they might be supposed to possess in the forest or chase of Arundel.¹

But Gilbert, Bishop of Chichester, successor of Ralph Neville, the antagonist of Earl Hugh, proved more obdurate.

His Dispute
with the
Bishop of
Chichester

In the summer of 1292, Earl Richard, in pursuit of game, entered one of the chases belonging to the forest of Houghton. Here he was met by a forester, who, on the part of the Bishop, informed him that he was trespassing ; but the Earl refused to acknowledge the exclusive right of the prelate ; the offence was a second time repeated ; and information was immediately laid before the Bishop. The latter at once dispatched a deputation of his clergy to call the refractory nobleman to account. The treasurer, and three of the canons of the cathedral, with the rectors of Heyshot and Ford, waited on the Earl, at Arundel ; they spoke of the injury he had committed ; they denounced his presumption, in daring to violate the rights of the Church ; and they concluded by demanding not only an assurance of future respect to those rights, but a promise of instant satisfaction for the trespass of which he had already been guilty. This address was treated with the contempt it deserved ; and the Bishop replied by pronouncing the sentence of greater excommunication against the Earl. This, however, had no effect upon the attitude of Arundel, who, for several months, continued to bid defiance to the anger of his clerical persecutor. The Bishop thereupon resorted to extreme measures. The sentence of excommunication was followed by that of interdict upon all the possessions of the earldom within his diocese. The churches were closed, the public offices of religion were suspended, the sacraments, save only to infants and the dying, were forbidden to be administered, and the very dead were excluded from sepulture within the hallowed precincts of the burial grounds. The sentence, however, was scarcely allowed to take effect before a message from the Earl informed the prelate of his submission.

The latter was sojourning in his castle at Amberley ; but he consented to meet the Earl in the church of Houghton,

¹ Tierney, p. 28.

and there received from him in person the acknowledgment of his offence, and the promise of his future amendment.

1292 On December 24, 1292, the parties met. Arundel begged pardon for his transgression, and swore to obey the reasonable injunctions of the Bishop; the Bishop pronounced the sentence of absolution, and imposed a fast of three days, with a pilgrimage to the tomb of St. Richard, at Chichester, as a penance on the delinquent.¹

Three years after this affair Earl Richard took part in the war which ended in the complete conquest of Wales.

As a reward for his services, he obtained a remission of the tenth, which in 1295, the king was permitted to levy on the goods of the laity throughout the kingdom. In the same year the Earl increased the size and strength of the Castle, and added to the defences of the town by the erection of a wall on its north and west sides, where the ditches formed the only protection against the incursions of an enemy from those points. In aid of the latter undertaking

1295 he received a patent, in June, 1295, authorizing him to levy for a space of ten years a tax on all corn, cattle, skins, meat, wool, hemp, silk, linen and woollen cloths, and other articles of merchandise entering the town, and to apply the produce in liquidation of his expenses.

The Town Wall Erected The wall commenced on the edge of the moat which surrounds what is now distinguished as the "Tilting-ground." Thence it proceeded along the south side of the west ditch to the entrance yet known as that of "Mary-Gate," and, following the direction of the ancient inner fosse, at the distance of about 200 yards farther west, suddenly swept round to the south, descended the hill since denominated "Poorhouse Hill," and pursuing its course to the banks of the river, completed the enclosure of the town. Of the two gates by which egress was obtained, that on the west, called the "Marsh," or "Water-Gate,"² has long since disappeared; frequent

¹ Tierney, p. 206.

² Probably erected on the site of "the gate in the valley." See p. 18, footnote.

mention of it, however, occurs in the Corporation leases as late as 1711. It stood at the west end of **Chepynge Street** "Chepynge Street," afterwards called "Old Market Street" and now known as Maltravers Street. The other, called "Mary-Gate," on the north, still **Mary-Gate** exists in the grounds of the Castle, although considerably restored. It is a square embattled structure of flints, with chambers in each of the towers, and an arched entrance, in the pointed style, protected by a double portcullis. A low obtusely pointed arch, on each side beneath the gateway, gives admission to the apartments on the ground floor; and a steep flight of steps, now greatly dilapidated, on the south side of the west tower, forms the only approach to what was originally the Chapel of "St. Mary over the Gate."¹ In a line with this building, at the point where the western ditch formerly entered the great moat, and situated on the extreme edge of the latter, a detached portion of the ancient walls may still be seen. At what period the "western ditch" was made does not appear: probably it was coeval with the wall. It must not, of course, be confused with the ancient "inner ditch" which lies about 250 yards farther north, and whose southern extension it joins at Mary-Gate.

1295 Earl Richard's additions to the Castle were of a very extensive nature. He rebuilt the upper **Additions to the Castle** part of the old Norman Gatehouse, where Queen Matilda had lodged more than 150 years before; and **The Outer Gatehouse** enlarged it on the west by the erection of an external gateway. The latter is a long covered passage, approached by a drawbridge over the fosse, and entered through an obtusely pointed arch, without machicolations, but defended by a portcullis, and flanked by two square embattled towers. The towers themselves are equally divided into four stories of apartments, of which the lowest were anciently appropriated as **The Dungeons** dungeons. The only access to them was by means of a trap-door or similar contrivance in the floor of each of the apartments immediately above them. Tierney's

¹ Tierney, p. 711.

description is here somewhat misleading. He speaks of them as being "sunk to a depth of nearly 15 ft. below the bottom of the fosse, and entirely dark."¹

This was undoubtedly true when his history was written ; but the recent excavation of the moat to its original level has disclosed many small square apertures in their external walls ; thus proving that they had an abundant, possibly a superabundant, supply of fresh air ; and some, although a strictly limited, amount of light ; and that the miseries of their unfortunate occupants were therefore somewhat less than was previously supposed to have been the case.

The apartments directly over them were probably used as guardrooms. The upper rooms are each lighted, on the two outer sides, by a narrow label-headed window. A central chamber, which extends over the whole space of the covered way and communicates at the south-west corner with one of these apartments, still remains perfect, and is accessible by a spiral stone staircase from the passage below. The top rooms were reserved for the use of those in charge of the windlass, placed on the roof of the central chamber, by which the drawbridge and portcullis were raised and lowered ; the one acting as a counterpoise to the other ; while, from the window-like aperture in the wall between the towers, the officer of the gate scrutinised those seeking admission, or held parley with the herald sent to demand the surrender of the Castle.

The Sally-port, which opens directly on a steep flight of steps leading down to the bottom of the fosse, is still visible in the north wall of the archway, behind one of the towers.

The Well-tower Contemporary with this building were the foundation of the Well-tower and the construction of the present entrance to the Keep. The former was raised over the old well, and was divided into several stories of apartments, each lighted by two label-headed windows exactly similar to those which distinguish the Gatehouse. These windows are one evidence that the tower was an addition to the old building ; another is the fact that its

¹ Tierney, p. 47.

walls are not incorporated with those of the Keep, and that its east side is absolutely erected against one of the buttresses of its more ancient neighbour. It was originally of considerable elevation ; but having manifested symptoms of decay, the upper part was taken down towards the close of the eighteenth century, and the rubbish thrown into the well. The new entrance to the Keep was made in the square tower which immediately adjoined the latter on the east side, its narrow pointed arch being concealed beneath the dark projection of the tower. The tower itself was curiously contrived. Its eastern wall was built against the old Norman doorway, in such manner as to include within it about one-third of the open space of the arch. Parallel with this wall, on the inner side, another wall was erected at a distance of about three feet, forming a long narrow slit within the tower, which, by means of the enclosed portion of the ancient arch, communicated directly with the interior of the Keep. Over this space was placed a sort of stone funnel, somewhat resembling a chimney, which issued into a chamber above ; whilst below it opened by means of a very low pointed arch at the foot of the outer wall. This arch formed the sally-port of the fortress, and from the funnel above molten lead could be poured down on the heads of assailants. The arch and funnel are still in evidence, but the communication between the passage and the Keep has been closed. The addition of the entrance-tower enabled Earl Richard to increase the size of the ancient Chapel of St. Martin, by bringing it forward into the new building. One of its windows still looks down upon the Castle below.

Sally-port
of Keep

Chapel of St.
Martin
Enlarged

The subterranean chamber, in the centre of the Keep, was evidently made at this time. Its roof is pointed, formed of chalk, and strengthened by ribs of stone ; the door-case is distinguished by the flat label-head which is observable in the windows of the Gatehouse. It was probably the storehouse of the garrison.

At equal distances, round the enclosed space beyond the Keep, four towers, lately restored, were erected, probably at this period. They correspond in form with those of the

outer Gateway, and communicate with each other by means
Sally-ports
in Ramparts of a walk along the ramparts, in which two sally-
ports, one on the north-east protected by a semi-
circular embrasure, and the other on the west approached
from the outside by a pit cut out of the vallum, may yet
be seen in perfect condition.

CHAPTER V

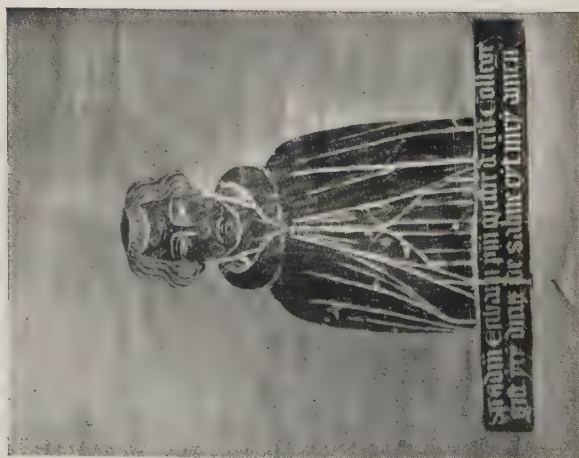
Two Members returned to the first House of Commons—Visits of Edward I—Growth of the Town—Edmund Fitzalan—His Arrest and Execution—Castle and Town bestowed on the Earl of Kent—Restored to Richard Fitzalan, son of Earl Edmund—His Prowess and Wealth—Destruction of the Town by Fire—Chapel of St. George—Demolition of the Priory of St. Nicholas—Foundation of the College.

AT what date these alterations and additions were completed is not known ; but the year, which saw the building of its town wall and the erection of its gates, was destined to link Arundel with one of the greatest events in English history. It is not possible here to review the reasons which led Edward I, whose love for his people was only exceeded by his stern devotion to duty, to summon to his

1295 Parliament at Westminster, in 1295, two representatives from every great town, city and borough throughout England, thus laying the foundation of the Third Estate in the Realm, afterwards to become as the House of Commons, the dominant element in the government of the country. To this Parliament the town of Arundel returned as members, Thomas Yawton (Thomas of Yapton) and Johannes Alisaundre ; and from that time, until the passing of the Reform Bill in 1832, it continued to send two representatives to the Great Council of the nation.

Return of two
Members to
Parliament

For many years, however, the selection of boroughs accorded the right of returning members remained in the king's hands ; and as, moreover, many of those to whom this privilege was granted steadily declined to take advantage of it, owing either to lack of interest in national concerns, or in order to avoid the payment of the two shillings a day



BRASS OF SIR ADAM ERTHAM, FIRST MASTER
OF THE COLLEGE.



SALLYPORT IN OUTER GATEHOUSE.

allowed to each member during his attendance, the fact that the names of two burgesses from Arundel are rarely absent from the early parliamentary rolls, proves not only that the town stood high in royal favour, but that its people appreciated the honour and realized its importance. The Johannes Alisaundre mentioned was probably the same person who became mayor in 1312.

In January, 1296, Earl Richard with Edmund, the king's brother, joined the army at Plymouth and sailed for Normandy. Early in the following year he returned to England and in February attended the Parliament held at Salisbury.

Edward I
at Arundel In May the king himself spent two days at Arundel; and with that charity which always attended his progress through the country, gave to the Friars Preachers on his arrival 22s., for three days' food, through F. Nicholas de Farham. Six years previously they had shared, to the extent of £5, in the legacies and mortuary alms of Queen Eleanor.¹ In July, 1297,

1297 the Earl accompanied his royal master to Flanders. He was, however, recalled in September in order to assist in the conduct of the Scottish war, and during it he took part in the decisive battle of Falkirk, which extinguished the momentary gleam which Wallace had shed on the destinies of Scotland.

The summer of 1299 saw the king again at Arundel. On this occasion he gave "to the Preaching Friars of Arundel, for their support for three days, by the hands of Friar Richard de Cotes, 13s. ; paid for grass bought for the use of his horses, from John Hereward de Tilbrigg and John de Hegham, by two tallies, 26s. 5*d.*." and "through the clerk of the kitchen 30s. for poultry, and 4s. 9*d.* to five men of Arundel for trouts and other small fishes";²—probably caught in the Mill Stream.

During the next two years the Earl was almost continuously employed with the army in Scotland. He was present at the siege of Caerlavarock, the details of which were celebrated by a minstrel, who thus refers to him :

¹ Turner, *S.A.C.*, xxviii. 87.

² Carlton Ride MSS. ; Blaauw, *S.A.C.*, ii. 150.

“ Richard, the Earl of Arundel,
 A well-beloved and handsome knight,
 In crimson surcoat marked I well,
 With gold of rampant lion dight.” ¹

He died in the beginning of 1302 at the early age of thirty-seven, and was buried with his ancestors. During his lifetime

**Growth of
the Town**

the town of Arundel had grown considerably in size ; the escheat roll of 1302 mentioning the sum of £9 6s. 5*d.*, i.e., more than twice the amount returned in 1272, as the rent payable to him from houses held in burgage within the borough ; and this was further increased by an addition of 20s., received from certain shops, or stalls, lately erected. The total number of houses within the town is given as ninety-four, and the stalls, or shops, as thirty-two. ²

**Edmund
Fitzalan
(1302-1326),
12th Earl**

Richard Fitzalan, eleventh Earl of Arundel, was succeeded by his son Edmund, who, in 1306, married Alice, granddaughter of John Warren, Earl of Surrey.

**Edward I
at Arundel**

On Tuesday, September 4, 1302, Edward I arrived at Arundel ; he remained until Saturday the 9th. During his stay he pardoned William de Alta Ripa, to whom, in 1294, he had entrusted the defence of the seacoast of the three western rapes, for hunting trespasses in Woolmer and other forests, and inflicted numerous fines for false measures. Among those fined on this occasion were “ William Whitbread, of Arundel, for his short bread, 3s. 4*d.* ; the dean and chapter of Chichester for short measures, and the commonalty of the city of Chichester, 40s. ; the female brewers de Tydak, 40*d.* ; and the township of Arundel, 26s. 8*d.*.” ³

On the day of his arrival the king received a present of “ 6 carcase oxen, 3½ sheep, 7¾ pigs, 1¼ bacon ” ; his daily expenditure averaging £38 8s. 5*d.*, of which four shillings regularly went in alms to the poor.

**1305
Edward I
at Arundel**

In June, 1305, he paid his fifth and last visit to the town ; and while here he allowed “ 40s. for Edward de Balliol, sick at Chichester, and there

¹ *Siege of Caerlavarock*, edited by Nicolas, p. 50.

² Tierney, p. 713. ³ Blaauw, *S.A.C.*, ii. 154-158.

staying by command of the King, advanced on what he is to receive from the King in the way of wages, and his expenses, paid to Walter de ffrenay.”¹

On the renewal of the Scotch war in the following year, Earl Edmund joined the royal army, with which he served until July, 1307, when the king died. Before his decease, however, he had been careful to testify his sense of the Earl's services, by the remission of a debt of £4,234 3s. 3½d., the arrears of fines and other imposts, which were due from his estate to the royal exchequer.²

Soon after the king's death, the Earl embarked upon the career which was destined to end in the forfeiture of his life and the sequestration of his property. Since, although at first he joined the barons who were in opposition to Edward the Second, and acted as one of the judges who condemned the favourite Gaveston to death, he later supported the king and was instrumental in bringing about the execution of the Earl of Lancaster; for this service he received a grant of a large portion of the forfeited estates. But, in September, 1326, the confederate barons triumphed; the king fled to the Isle of Lundy; and the Earl fell into the hands of the rebels under John, Lord Charlton. His fate was instantly decided. He was accused of having married his son to the daughter of the younger Spencer, of having injured the queen by his counsels during her absence in France, and of having “procured the death” of Thomas, Earl of Lancaster; and, upon these charges, without even the ceremony of a trial,

1326 he was adjudged to forfeit his life, and ordered to immediate execution. He was beheaded at

Execution of
Earl Edmund

Hereford, on November 17, 1326, in the forty-second year of his age.³

1324

Edward II
at Arundel

Two years before this tragic event, Edward II, passing through Arundel, on his way to Chichester, bestowed an alms of 6s. 8d. on the Dominican Friars, through their prior, for one day's food; and, earlier in the same year, he gave permission “notwithstanding the statute of Mortmain, to his beloved and faithful kinsman

¹ Blaauw, *S.A.C.*, ii. 154-158.

² Tierney, p. 215.

³ *Ibid.*, p. 223.

Edmund, Earl of Arundel, to grant two acres of land with appurtenances in Arundel, contiguous to the site of his beloved in Christ, the prior and brethren of the order of Preachers, and assign them to the enlargement of their site there." The land thus acquired was not, however, used for any additional buildings, but remained as a meadow for the pasture of cattle.¹ During the reign of his successor they received the sum of 20s., bequeathed to them by the will of William Laxman, dated at Reigate Castle, November 22, 1374.²

Act of
Attainder

1326
Castle and
Town
Bestowed on
the Earl of
Kent

1331
Restored to
Richard
Fitzalan
(1331-1376),
13th Earl

After Earl Edmund's execution a subsequent act of attainder was passed, escheating his property to the Crown; the estates in Shropshire and Wales were given to Roger, Lord Mortimer; and the town and Castle of Arundel, with their appurtenances, were bestowed upon the Earl of Kent, in whose hands they remained until his own attainder and execution in 1330. In the following year they were restored by Edward III, with the whole of the patrimonial estates, to Richard Fitzalan, eldest son of Earl Edmund.

One interesting event in connexion with the Earl of Kent's tenure of the property is recorded, namely, the baptism, in the church of St. Bartholomew in the priory of Calceto, of his son and heir, born at Arundel Castle in 1330. At this ceremony "John de Grensted, Prior of the order of Friar Preachers of Arundel," acted as one of the sponsors.

For some years after the restoration of his title and estates, Earl Richard was employed in the various expeditions which Edward III found it necessary to furnish for the support of Edward Baliol in Scotland. "In some of these he had the principal command: in others he served under the king; and in all secured to himself the double praise of
bravery and skill."³ In 1338 he was engaged for more than three months in an unsuccessful attempt to reduce the fortress of Dunbar. In this year the town of Arundel was devastated by an accidental fire, by

¹ Palmer, *S.A.C.*, xxviii. 88.

² *Ibid.*

³ Tierney, p. 228.

which one-half of the existing buildings were reduced to ashes, and the property of a large portion of the burgesses utterly destroyed. Application, however, was instantly made to the Government for assistance, and the taxes for that year were accordingly remitted. In 1339 the Earl was appointed to the command of the fleet, which had been assembled at Dartmouth for the purpose of protecting the seacoast from the increasing ravages of the French squadrons. In the course of a few weeks he cleared the Channel of the enemy, and re-established the security of the southern ports. The king now determined to assert, by force of arms, his claim to the French throne; and, in order to provide the necessary supplies, Parliament granted him a tax called the "Nonae," in 1340. This tax consisted of the ninth lamb, the ninth fleece and the ninth sheaf; and the fifteenth of the goods and chattels of merchants not living in cities, or boroughs, or by agriculture. In Arundel three persons were found liable for it, in the following sums: Alan le Prest, 6s. 8*d.*; John Capon, 3s. 4*d.*; and Js. Cateler, 3s. 4*d.* They were successful, however, in obtaining a diminution of the tax by pleading the damage caused by the late fire.

The war opened with the complete annihilation of the French fleet off the harbour of Sluys. The Earl who, as Admiral, had taken charge of the expedition under the immediate command of the king, was at once sent to England with the intelligence of the victory, and with orders to solicit further supplies from Parliament. Four years later he took part in the victorious campaign in Guienne; but, in 1345, he returned to England in order to marry Eleanor, widow of John Beaumont, and daughter of Henry, Earl of Lancaster. This transaction fixed on his character the only stain which, in the course of a long life, it is known to have contracted. His wife Isabel de Spencer, whom he had married twenty-four years previously, was still alive; but he successfully persuaded the Pope to annul his union with her, on the grounds that he

Devastation
of the Town
by Fire

1340

The
"Nonae"

Sluys

1345

Earl Richard
Divorces
Isabel de
Spencer

Marries
Eleanor
Beaumont

was a minor at the time of the marriage, and that he had yielded through fear of his father.

Appointed
Admiral-in-
Chief

1346

Crecy

Shortly after his marriage with Eleanor Beaumont, Earl Richard was appointed Admiral-in-Chief of the king's fleet. His genius for war was, however, as great on land as at sea ; and, in 1346, at Crecy he was entrusted with the command of the second division of the army against Philip of France. In that memorable encounter he played a decisive part. The troops under the Earls of Alençon and Flanders had closed on the flanks of the English archers ; a body of French and Germans had forced a passage to the men-at-arms round the king ; when Arundel, realizing the critical nature of the situation, hastened to the support of his royal master. Charging at the head of his men, his division first broke and then destroyed the French line, and when night fell, the mighty host, which Philip had brought into the field in the morning, had practically ceased to exist ; eleven princes, 1,200 knights and 30,000 soldiers were, on the following day, found to have perished in the ranks of the enemy.

The Earl next accompanied the king to the siege of Calais, and, whilst he lay with the army before that town, intelligence was brought of the death of his maternal uncle John, Earl of Warren and Surrey. By this occurrence he succeeded to the Earldom of Surrey, and to a considerable portion of his uncle's immense possessions. He remained, however, with the army until after the complete overthrow of the French monarchy at the battle of Poitiers.

The expenses of the war, although mainly provided by the subsidies granted by Parliament, pressed heavily upon the alien priories in England. In 1337 the king had decided to levy a contribution on them ; and commissioners, appointed for the purpose, were dispatched to the various establishments. Many of these they proscribed altogether, plundered their convents, confiscated their lands and tenements, and let out the whole to farm in order to minister to the necessities of the army.

Amid this general proscription the monks of the alien priory of St. Nicholas were fortunate in being permitted

to compound for the security of their possessions, by agreeing to an annual tax during the continuance of the war. Their possessions were now not inconsiderable. Whereas at the period of Pope Nicholas's survey, in 1291, the property then attached to the convent was valued at the yearly sum of £32 17s. 2d., it had risen a few years later to £91 17s. 2d., exclusive of fifteen quarters of wheat and the same quantity of barley which the priory received annually from the Swanbourne mills.¹

But a misfortune awaited it from which there was no escape. The pestilence, which had been transported into Europe from India, appeared on the coast of England in the autumn of 1348. It was first discovered at Southampton: thence it spread rapidly into Sussex. Famine followed the pestilence, through lack of farmers and labourers to till the soil; and the priory found itself on the verge of dissolution. Under these circumstances the monks appealed to Robert Stratford, Bishop of Chichester, to exchange some portions of their now unprofitable lands, for property of less fluctuating value. Their application was successful: and, in return for 400 acres of wood and various rents from land, the prelate offered them the perpetual advowson of the church of Rustington, and the appropriation of it and the churches of Kirdford and Littlehampton.

¹³⁵¹ In 1351 the king signed a patent authorizing the exchange, and empowering the monks to receive the appropriation; but two years elapsed before the deed completing the purchase of the advowson was signed by the contracting parties. This was followed by the assignment of the three churches mentioned "with all their rents and profits" to the sole use of the priory. The accession of income thus produced nearly doubled the former revenues of the convent; an additional grant, about the same period, of the churches of Yapton, Billingshurst and Cocking restored them to affluence. The tax, moreover, for the

¹³⁶⁰ support of the French wars was, on the conclusion of peace in 1360, remitted to them by the king. But, whilst the priory was thus struggling with

¹ Tierney, p. 584.

the vicissitudes of the times, the religious establishment within the Castle was gradually assuming a degree of consequence, which was destined, at no remote period, to place the parochial duties and possessions of the little colony of alien monks in other hands. The service of the chapel of St. Martin-within-the-Keep had gradually been trans-

Chapel of St. Georgeferred to the chapel of St. George, which was situated in the south-east wing of the Castle.

At what period this took place is not known ; probably it was when William de Albini, fourth Earl of Arundel, increased the number of canons at Pynham to six. It is equally impossible to say at what date the chapel itself

**Early
References
1275**

was founded. The earliest reference to it is the appointment, by Edward I, in 1275, during the minority of Richard Fitzalan, eleventh Earl of Arundel, of Robert de Natsend as chaplain.¹ No

1344

further mention of it occurs until the year 1344 when Richard Fitzalan, thirteenth Earl of Arundel, obtained a bull from Pope Clement the Sixth, for the endowment of a perpetual chantry for

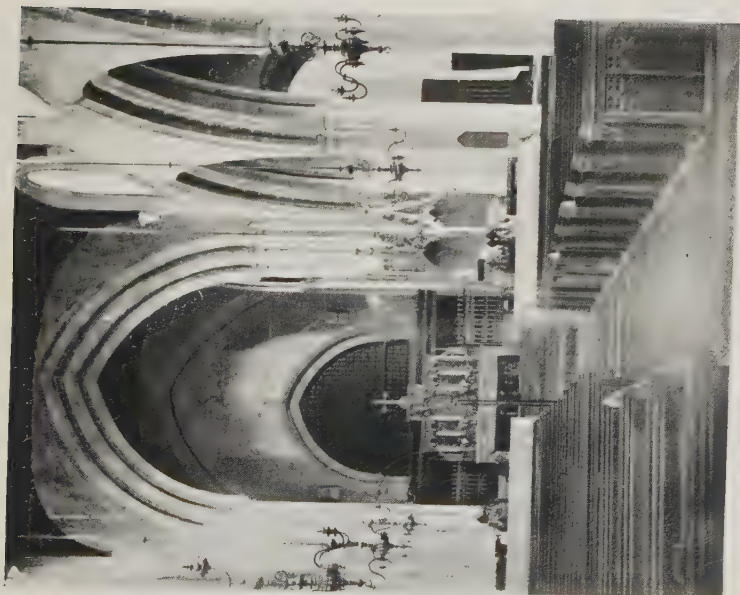
**1345
Is Endowed
as a Perpetual
Chantry**

three priests, in the parochial church. The convenience, however, which the chapel of St. George offered for such an institution, soon after united itself with other considerations in inducing him to alter his intention. In the following year application was again made to Rome ; another bull was issued by Clement, authorizing the transfer of the new foundation from the parochial church to the chapel within the Castle ; and the other arrangements necessary for carrying the design into immediate execution were forthwith perfected by the Earl. The chantry was now settled in full possession, and, during the thirty-five years following, the service, performed by the three chaplains, must have assumed a degree of splendour to which the private oratory of the Castle had been hitherto unaccustomed.²

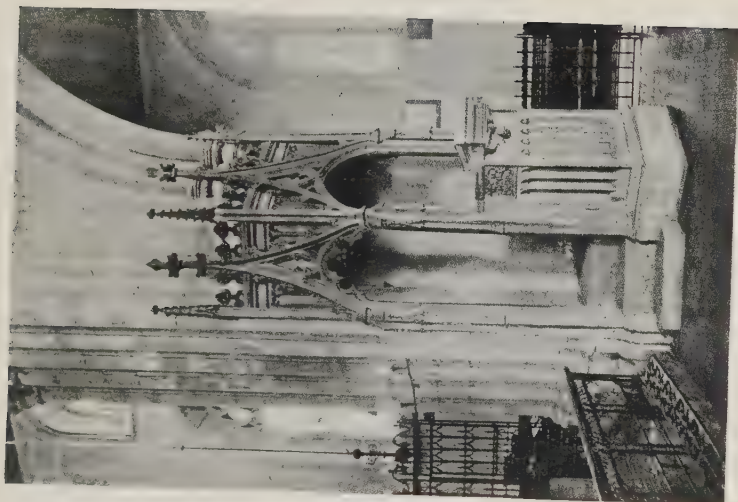
In the year that witnessed the foundation of the new chantry the king obtained the grant of a tenth and fifteenth, " to be levied on all property within the counties of Sussex

¹ MS. Harl. 6958, fo. 29b.

² Tierney, p. 592.



ARUNDEL PARISH CHURCH.



PULPIT.

and Southampton," and, in the following year, the payment of this sum was required from the monks of **Priory of Calceto** Calceto. Notwithstanding the augmentation of their income, which had occurred in 1309, from the gift, by Richard de Bure, of eighty acres of land, with a messuage and other appurtenances, in the parish of Warblington, in Hampshire, besides other acquisitions in Westbourne and Selham, the monks," aware of their inability to meet the demand, resolved at once to seek a remission of the tax. They represented to the king the poverty of the house; assured him that they were in a great measure dependent, for their support, on the charity of the faithful; and concluded by entreating him to relieve them from an impost, which, in its operation, must necessarily involve them in irretrievable ruin. Their petition was followed by a similar representation from Robert Stratford, Bishop of Chichester; and two patents were consequently issued, by which the canons, as wardens of the bridge at Arundel, were **Is Freed from Future Taxation** freed from the burden of the present tax, and specially exempted from the payment of all future tallages, aids, and contributions, granted, or to be granted, within the realm of England for ever." ¹

That the canons, about this time, farmed such of their land as lay in the vicinity of the priory appears from a deed, dated September 15, 1357, and witnessed by Thomas Conseler, Mayor of Arundel, in which "Henry, prior, and the canons lease to Thomas le Croucher, Joanna his wife, and John Power, for the term of their lives, at a reserved rent of 3s. per annum, to be paid quarterly in full of all services as the canons may require of them in autumn for getting in their corn, etc., and at other seasons of the year, which they were to continue faithfully to discharge, as long as the prior and canons should pay to them the same wages as were customarily paid for such work in the neighbourhood of Arundel." ²

Hostilities were now resumed with France, and a tax of twenty marks was levied by the king on the priory of

¹ Tierney, p. 684.

² MS. in Ashmol. Mus. Turner, S.A.C., xi. 104.

St. Nicholas: this sum, amounting to at least one-fifth of the whole revenues of the convent, continued to be annually enforced until the priory was merged in the college. This latter establishment Earl Richard proposed to place within the Castle, and to attach it inseparably to the service of the chapel of St. George. It was to consist of the three chaplains already instituted to the new chantry, to whom were to be added a certain number of clergy, and the whole was to be placed under the superintendence of a master. For this object he had obtained, in 1354, a bull from Pope Innocent the Sixth; but for some unrecorded reason, possibly his absence in France, no further progress was made with his design until 1375, when he procured a patent legalizing the foundation, and enabling him to settle on the college an annual rent of 107 marks, from his manors of Angmering, Wepham and Warningcamp, payable until such time as himself or his heirs should endow it with lands, or other possessions, producing a revenue of equal amount. He was not, however,

1376

Death of Earl
Richard

allowed to witness the fulfilment of his desires. Before the final arrangements were completed he was taken ill, and on January 24, 1376, he died at Arundel.

His Will

By his will, dated December 5, 1375, he recommended the proposed institution to the pity of his successor; prescribed the number and duties of its members; and bequeathed a sum of 1,000 marks, to be expended in the purchase of lands, yielding an annual rent of £71 6s. 8d. for their support.¹

His Wealth

At the time of his death, Earl Richard was possessed of immense wealth, a great portion of which he had acquired in the French wars. From a document in the Harleian collection (MS. 4840, f. 395), it appears that he left, "in bags in the tower of Arundel," and in the hands of certain receivers, the sum of 90,359 marks, 1s. 1d. The debts due to his estate amounted to 12,530 marks, 2s. 8d.; and his plate, jewels, corn, wool and other effects were valued at 5,506 marks, 8s. 4d.; making

¹ Tierney, p. 593.

a total of 108,395 marks, 12s. 1d., which, according to a calculation made by Peter le Neve, and founded on the relative value of money and price of provisions in 1375 and 1709, would have been equal, at the latter period, to an amount of no less than £4,335,838 11s. 8d.¹

Some time before his decease he had enlarged the Castle by the addition of a great hall on the south-west side. The entrance to it was from the court, through a deep pointed doorway under a projecting porch, which, as well as the chamber above, and its plain gable front, was remaining as late as 1806. The exterior of this building was partly drawn by Hollar in 1642, and with its embattled gables, its large window at the south-east end, and its lantern on the roof, similar to that on Westminster Hall, presents a conspicuous object in that artist's engraved view of the town.²

Richard Fitzalan
(1376-1397),
14th Earl

Richard Fitzalan, thirteenth Earl of Arundel, was succeeded by his eldest son Richard, in 1376. Two years later the new Earl proceeded to carry out his father's injunction with reference to the college. One of his first acts was to obtain a new patent³ from the king securing to the future master and chaplains an additional revenue of ninety-five marks, from his manors of Peperering, Southstoke, Tottington and Upmarden. But the chapel of St. George was not destined to become the seat of the new college. Whilst that institution had been advancing in importance, the priory of St. Nicholas, notwithstanding the increase of its possessions, had been rapidly sinking to decay. Edward III, by taxing its revenues for the support of his foreign wars, had impoverished its resources, and, on the renewal of hostilities with France, the monks had retired to the parent abbey at Seez. The convent was deserted, or left to be tenanted only by the prior; the buildings were neglected; the church was suffered to fall into ruins; and the parochial duties were resigned to chance, or to the charity of the neighbouring clergy.⁴

¹ Tierney, p. 240.

³ Pat. 5 Ric. II, p. 1, m. 3.

² *Ibid.*, p. 51.

⁴ Esch. 3 Ric. II, No. 160.

These circumstances had already attracted the Earl's attention ; but another consideration, affecting the stability of the intended college, also pressed itself upon his notice. In a place of military defence, such as the Castle of Arundel, situated so near the seacoast, and exposed, in times of danger, to the assault of every enemy,¹ the security of a religious establishment was, at best, but doubtful. The perpetuity of the college, therefore, seemed to require that it should be placed without the precincts of the Castle ; whilst its usefulness would be more extensive, and more discernible, if engaged in supplying the destitution of the priory, and the wants of the parochial church.

Influenced, therefore, by these considerations, the Earl resolved to secularize the priory, and to unite it with his college, in one establishment. His first step was to secure the royal approbation. Having represented to Richard II the decay of the priory, on the one hand, and, on the other, the difficulty of securing the stability of the college within the Castle, he proceeded to sketch the outlines of his plan. He proposed to dissolve the convent altogether, to annex its revenues to those already destined to the support of the intended college, and to place the master and chaplains of the latter in possession of the parochial church. In return, he offered to erect a suitable building for the new fraternity, on the site of the ancient convent, to add five secular chaplains, in place of the five monks, to the six already named in the will of his late father ; to extend this number by the addition of two others of his own foundation ; and to dedicate the whole in honour of the Blessed Trinity, of the Blessed Virgin Mary, and of all the Saints.²

But a difficulty presented itself at the commencement of the negotiation. The advowson of the priory of St. Nicholas was claimed by the Crown. This claim dated back to the days of Hugh de Albini. It had always been disputed by the successive Earls, but the king now refused to grant

¹ During Wat Tyler's revolt (1381) the name of Arundel appears on the list of possible centres of disaffection. Peckham, *S.A.C.*, lxii. 36.

² Intro. to the Stat. of the Coll.

a licence for the proposed incorporation of the two establishments until this claim should be acknowledged and satisfied.

In order to get rid of this difficulty the Earl was compelled, not only to pay a sum of £40, in compensation for the annual fine of twenty marks, to which the priory was subject during the time of the war, but also, in return for the advowson, to bind himself, in a penalty of £1,000, to assign to the king, within the space of three years, the perpetual advowson of some other benefice, whose annual value should, at least, amount to £20.¹

1380
Demolition
of the Priory
of St. Nicholas.
Foundation
of the College
of the
Holy Trinity

Under these conditions a patent, dated April 1, 1380, was issued for the erection of the college. It provided, however, that the previous assent of the Abbot of Seez should be procured. This was easily obtained, and the Earl hastened to lay the foundations of the new building. The spot selected was the site of the priory: this immediately adjoined the parochial church. Having removed the materials of the old convent, he proceeded to extend the space hitherto enclosed, and the new college, thus enlarged beyond the boundaries of its predecessor, soon began to assume an appearance corresponding with the magnificence of the endowment. Its structure was of quadrangular form, surrounding a square yard or court, partly occupied by cloisters, and partly devoted to other purposes. On the north side he placed the collegiate chapel, which thus formed an apparent chancel to the parochial church; on the east, the refectory, and the various offices more immediately pertaining to it: the remaining sides being appropriated to the private accommodation of the members. The master's house, an oblong edifice, attached to the south-east angle of the chapel, with which it communicated by a small stone gallery, or balcony, on the first story, and opening on the north, into the churchyard, was erected within the court. The principal entrance to the college was by a gateway, which still remains, at the south-west angle. To the gateway a Sanctuary Ring was originally affixed.

¹ MS. Harl. 4840, f. 414.

In connexion with it one of those very rare instances on record of violation of sanctuary occurred in March, 1404 :

A person named John Mot had been apprehended and committed on a charge of robbery to the prison within the Castle ; but having contrived to elude the vigilance of his keepers, he escaped, and had nearly succeeded in securing his retreat, when his flight became known, and the constable, accompanied by a party of the inhabitants, followed in pursuit. Finding that he was likely to be overtaken, the fugitive turned to the college, and seizing the ring which was attached to the gate, claimed the rights of Sanctuary. The constable, however, led him back to prison. But rumours of the affair soon got abroad, and two of the parties, who had aided the constable, were summoned before the Bishop. They were found guilty of violating the law of Sanctuary, and were ordered to make a pilgrimage on foot to the shrine of St. Richard at Chichester, to present an offering there according to their ability, to be cudgelled five times through the church of Arundel, and afterwards to recite the " Pater Noster," the " Ave " and the Creed, the same number of times, upon their knees, before the Crucifix at the high altar. Before this sentence, however, was carried out, it was ascertained that, on discovery of their error, the captive had been " restored to the church." The cudgelling was therefore ordered to be remitted, and an offering of a burning taper to be made by each of the parties at the high mass on the following Sunday, in the collegiate chapel was substituted in its place.¹

¹ Tierney, p. 42, note *a*.

CHAPTER VI

Constitution of the College—Chapel of St Mary-over-the-Gate—
Chapel of St. Lawrence—Church of St. Nicholas rebuilt—
Richard Fitzalan—His career, arrest and execution—The
Maison Dieu—Its foundation and statutes—The Castle and
town bestowed on John, Duke of Exeter.

BEFORE the end of the year 1381, the building of the College was so far advanced that the new members, who had been already embodied, were enabled to enter on possession. It was not, however, until December, 1387, that the statutes for its government were drawn up. The number of persons to be comprised in the fraternity was to consist of thirteen chaplains, or secular priests, to which were to be added two deacons, two sub-deacons, two acolytes, and four choristers, all to be admitted under certain restrictions, and all at liberty to quit the community, on giving three months' notice of their intention. Of the chaplains, one was to preside over the institution, as perpetual master of the college: another, as sub-master, was to be ready to act in the absence of the principal; and a third, under the title of precentor, was to attend to the regulation of the choir. The master was in the appointment of the patron, to be chosen from two persons, previously elected and presented by the college. To him, and to the sub-master in his absence, the obedience of the rest was to be solemnly promised upon oath.¹ The statutes were drawn up by the Earl himself, and, when finished, they were submitted to the inspection of the Bishop of Chichester (Thomas Rushook): the copy, which remains, still bears the certificate of his approbation. It is dated Dec. 1, 1387. In the

1381

1387
Statutes of
the College

¹ The College Statutes, cap. 1, 2, 3, 6, 14.

statutes occurs the only known reference to the chapel in Mary-Gate. In them, "the chapel of Blessed Mary over the gate" is described as already existing; one of the brethren of the college is specially appointed to its service; and a daily Mass is ordered to be celebrated within it.¹

Chapel of St.
Lawrence

In the subsequent account rolls of the college, frequent mention is made of the chapel of St. Lawrence. This chapel, which is also spoken of in the survey made by order of the Earl, in 1380,² is possibly the oblong building shown in Hollar's view of the town attached to the south-east external angle of the college, and occupying the open space in front of the present entrance to the Castle. Of it, however, little beyond its name is known. Its altar, next to that of the parochial church, appears to have been the favourite resort of the pious: and its oblations, which were paid over to the college, were comparatively large. Their average, in six years taken promiscuously, amounted to about 6s. 6d. a year; a sum equal to more than twice the usual average of all the other chapels united.³

1380

Church of St.
Nicholas
Rebuilt

As soon as the foundations of his college had been laid, the Earl deemed it advisable to remove the ancient parochial church which had fallen into decay, and to replace it with a structure which should be immediately connected with the collegiate chapel. To this circumstance the present church of St. Nicholas is indebted for its origin and form.

While these buildings were in process of erection, the Earl was called away to take part in the war with Scotland. Here he proved himself to be possessed of much of the military capacity which had distinguished his father. Earlier in his career he had been less fortunate; the defeat of the English army under the walls of St. Malo in 1378 being attributed to lack of foresight on his part.

1386

In 1386 he joined the Duke of Gloucester in a plot to overthrow the Government; and was successful in forcing the king, who was only in his twentieth

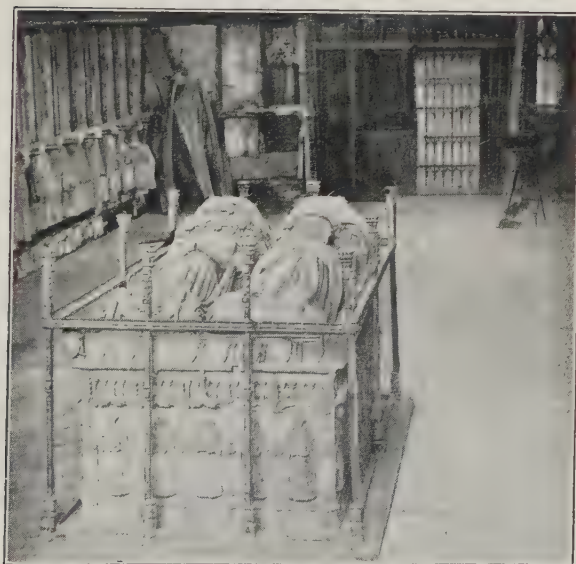
¹ Stat. of Coll., cap. 8. Tierney, p. 594-605.

² Burrell MS. 5687, f. 5.

³ Tierney, p. 682.



PARISH CHURCH.
SHOWING ENTRANCE THROUGH GRILLE.



FITZALAN CHAPEL.
SHOWING ENTRANCE THROUGH GRILLE.

year, and who was under the influence of a band of worthless favourites, to sign an agreement transferring his own power to a council of twelve persons, for the space of twelve months. The Earl was now appointed Admiral of England, supplies were voted for the war with France, and, in the spring of the following year, he put to sea with a powerful force. His first exploit was the capture of a convoy of upward of 100 French, Spanish and Flemish merchantmen laden, according to one historian, with no less than 19,000 tons of wine. Froissart states that, in consequence of this capture, the best wine was, for several months, sold in London at fourpence the gallon.¹ Having refitted his vessels the Earl sailed to Sluys, destroyed or captured the ships in the harbour, and laid waste the country to a distance of more than ten leagues.

But, on his return, he was received with coldness by the king, who resented the authority of the council, which had been forced on him. A royal conspiracy to murder both the Earl and the Duke of Gloucester was discovered by the latter soon afterwards. The Earl had retired to his Castle at Reigate. Hither the Earl of Northumberland was dispatched with orders to arrest him; but, being warned in time, he escaped to the Duke of Gloucester. They were joined by the Earls of Nottingham, Derby and Warwick; and at the head of 40,000 men they marched on London. The king thereupon issued a proclamation denouncing the Earl of Arundel as a traitor. The confederates replied by "appealing" five of the king's favourites of treason. They also addressed a letter to the citizens asking for their assistance. The manner in which this address was received by the people alarmed the king. He at once dispatched an invitation to his opponents to meet him at Westminster, and there to state their grievances. A conference immediately took place. The Earl and his associates protested their loyalty, and declared that their sole desire was to rid the king of the pernicious influence of his favourites, whom they accused of treason: to complete the formality

¹ Froiss., ii., c. 72, 73.

of the charge, they flung their gauntlets on the floor, and offered severally to prove the truth of their appeal by single combat. The king made answer that the matter should be referred to Parliament, and that in the meantime he would take each of the parties under his royal protection. Two days later he issued a proclamation, declaring that, after a scrupulous inquiry into the conduct of the Earl and his friends, he had discovered nothing that could deserve the slightest reprehension.¹

But, with that falsity which throughout his life characterized his actions, he had already secretly commanded the Duke of Ireland to raise a body of troops in Wales to be employed against the appellants. Fortunately, however, the latter, well knowing what little reliance could be placed on the royal word, had been careful not to disband their forces. An engagement followed at Radcot Bridge: the Duke of Ireland was completely defeated; the terrified monarch at once yielded to the demands of the confederates; the obnoxious favourites were either executed or banished, and the administration of the government passed to the Earl and his party. For more than twelve months the king remained a mere puppet in their hands. But in

1389 he had the courage to dissolve the council.

Immediately afterwards he deprived the Earl of the command of the navy, and dismissed his associates from their offices. A reconciliation, however, took place in the following year; and, in 1394, he accorded

the Earl a special pardon for all his political offences.²

The Earl now retired from public life. Three

1397 years afterwards, however, he was seized, by order of the king: Gloucester and the Earl of
Arrest and
Trial of Earl
Richard Warwick being apprehended at the same time.

The general pardon, as well as the particular act of grace, accorded to the Earl of Arundel were annulled, and the farce of a trial, founded on charges long since forgiven, was opened at Westminster on Friday, September 21, 1397.

¹ Rot. Parl. iii. 229, 235, 357.

² Pat. 17 Ric. II, m. 15.

In vain the Earl appealed against this tyrannical proceeding: his reasoning was lost on a court which had already decided his fate: he was found guilty of treason, and ordered to be led to immediate execution.¹

With undisturbed composure he listened to the pronouncement of his doom. Turning to his guards, he cheerfully resigned himself to their charge, and was instantly hurried to Tower Hill. When he had ascended the platform, he paused for a moment to survey the assembled multitude, took up the axe which lay upon the block before him; and, having felt its edge, lightly remarked that it was sufficiently sharp, and that he hoped the executioner would perform his office expeditiously. He then knelt down, and at one stroke his head was severed from his body. The remains were immediately conveyed for private interment to the church of the Augustinian friars in Bread Street, Cheapside; but the crowd followed them to the place of their burial, and insisted on offering them the honours of a martyr. The memory of his religious actions was now recalled: the report of miracles already wrought through his intercession was propagated and believed in every quarter; and constant pilgrimages to his tomb testified the veneration in which he was held by the common people. It was even said that God had determined to manifest the injustice of his execution, and that his head had been miraculously reunited to his body.

Richard II became alarmed at these symptoms of popular displeasure. At midnight, on the tenth day after the burial of the Earl, he sent a party of his own friends to the church, with instructions to open the grave, and examine the state of the body. As might have been expected, no extraordinary appearance was discernible; the tomb, however, was ordered to be destroyed, and, as a matter of precaution, it was deemed advisable to disinter the remains, and remove them to a place of concealment beneath the pavement.²

¹ Rot. Parl. iii. 374-377, 435.

² Tierney, pp. 242-266.

Two years before his death, the Earl had founded at Arundel, an institution variously known as the "Alms-house," the "Maison Dieu," or the "Hospital of the Holy Trinity." Like the college, it had been originally designed by his father, who died in 1376, but, like that establishment, it had also been deferred, till the death of its projector intervened, and consigned the fulfilment of his intentions to the care of his successor. By the latter the trust was carefully carried out. In March, 1395, he obtained a patent, allowing him to assign four messuages and two tofts in Arundel, to the master and fellows of the Holy Trinity, to be held by them in trust, for the immediate erection of an edifice which should be appropriated as an alms-house for a certain number of aged and infirm poor.¹ The site

of these messuages was on the right bank of the river, near the foot of the present bridge. Here the foundations of the new hospital were laid, and, by the end of the year 1396, the building was finished. Like the college, it formed a quadrangle, whereof a part was occupied by a chapel, and part by a refectory and its offices: the remainder contained the various chambers of the inmates. Round the courtyard there appears to have been a cloister: the main entrance was placed at the south-west corner.

The statutes of the hospital are still in existence. They were drawn up by the founder himself, after the completion of the edifice, and therefore, only a short time previous to his own tragical death. They relate to the quality and admission of candidates; regulate the number, appointment and duties of the various officers; prescribe rules for the general conduct of the inmates, and determine such points of domestic economy as were essential to the nature of the foundation. The establishment was to consist of twenty poor men, either unmarried, or widowers, who, from age, sickness, or infirmity, were unable to provide for their own sustenance. They were to be selected from amongst the most deserving of the sur-

¹ Pat. 18 Ric. II, p. 2, m. 17.



RUINS OF THE MAISON DIEU, 1850.



TOMB OF JOHN FITZALAN, 1435.

rounding neighbourhood, giving the preference only to the servants, or tenants, of the founder and his heirs ; they were to be men of moral lives and edifying conversation, and were required, as a qualification for their admission, to know the "Paternoster," the "Ave-maria," and the "Credo," in Latin. Over these persons, a priest, under the title of "Master," was to preside. He was to be chosen by the founder, or his heirs, from amongst the most virtuous and prudent members of the college, or, if that establishment should fail to supply a person, whose morals and abilities qualified him for the office, from those of the secular clergy, whose piety and discretion rendered them fit depositories of the important trust. He was to act in the double capacity of superior and chaplain. He was to reside constantly within the walls of the hospital, to superintend the conduct, and promote the comfort, of the community, to defend its interests, to watch over its possessions, and to show himself the faithful and affectionate guardian of those committed to his care. By him also, and the majority of the existing brethren, the admission of every candidate was to be determined : he was to receive the oath, by which every member was to bind himself, on his entrance, to the strict observance of the statutes ; and he was to enforce a constant obedience to the rules of the institution. To assist him in the performance of these duties, another officer, under the name of Prior, was to be elected, by the community, from their own body. To this person was assigned the immediate superintendence of the brethren, during the hours of recreation. Besides the master and prior, a steward, for the management of the possessions of the foundation, was to be appointed. At the close of each year, that officer, in conjunction with the master, was expected to produce a written statement, detailing the condition of the property. Auditors, selected from the community, were directed to receive and examine the accounts : and an annual inventory of the goods and chattels of the hospital was ordered to be appended to the report, and deposited by them, with the common seal, amongst the muniments of the establishment. The menial

duties of the house were entrusted to four servants. The regulations, for the employment and conduct of the inmates, were simple and judicious. In summer, five, and in winter, six o'clock was the hour of rising. Before they quitted the dormitory they were commanded to unite in prayer. This was succeeded by the celebration of Mass, at which all, whose health or infirmities permitted them, would attend. The occupation of the morning then followed. To each member of the community, according to his strength or abilities, some useful employment was allotted. To some the care of the gardens was assigned, to others the task of weeding the churchyard walks, or of attending to the wardrobe of the hospital. The more robust were to be taught to minister to the necessities of the helpless; and if, from age, or blindness, or other calamities, any portion of the brethren were disqualified from these active duties, they were at least to learn to entertain their minds with prayer and meditation. About noon the community were again to be summoned to prayer; those, whose strength was equal to the exertion, in the collegiate chapel; the more infirm, in the dormitory of the hospital. To this, dinner succeeded; after which they employed themselves in light tasks or in recreation until the evening meal. At ten o'clock, in winter, and, in summer, half an hour later, the bell proclaimed the hour of rest. At its sound, all were required to assemble in the dormitory: the same exercise of thanksgiving and supplication, which had sanctified the morning, was again repeated; and the whole community, with the exception of the master and the prior, immediately retired for the night.

The dress of the brethren was a brown woollen garment, long and loose, with a hood of coarse stuff, "thick and warm." This with a pair of shoes and a pair of socks was to be annually delivered to each member of the hospital at Christmas. At Easter a similar distribution of linen was to be made: and other articles were to be provided, as necessity might require.

"In sickness the inmates were to be attended by their brethren, and nursed, at the expense of the establishment:

in the single instance of leprosy, was the patient to be withdrawn from the care of the community." ¹

Such was the establishment, and such the code for its regulation, which Earl Richard bequeathed, as a last testament to the poor. In the course of a few short months from its completion, he perished on the scaffold: but the memory of his charity still endeared him to the world. By his will, dated March 4, 1392, he ordered that "the houses of the Friars Preachers, especially that at Arundel, and those at Lewes, Chichester, Winchester, Canterbury, Guildford and London, should be looked after, as they were bound to pray for the souls of his father and mother and wife, that God by His great mercy, and the passion which He suffered for them and for all Christians, might have mercy on all three, and on him when he passed out of the world." ²

Immediately after his execution the whole of his estates were alienated, and then partitioned among the king's friends. The Castle, honour, lordship and town of Arundel, with all their lands, liberties and other appurtenances, in the counties of Surrey, Sussex, Essex and Herts, and with all the goods, vessels and utensils in the Castle, were given to John, Duke of Exeter and Earl of Huntingdon; and thus for the second time in its history the House of Fitzalan suffered the loss of its entire family dignities and possessions. The honour, castle, lordship and borough of Arundel were valued, at this time, at £600 per annum. ³

¹ Tierney, pp. 663-668.

² Nichols' Coll. of Royal Wills, p. 135. Palmer, *S.A.C.*, xxviii.

³ Pat. 21 Ric. II, p. 1, m. 8, and p. 3, m. 1.

CHAPTER VII

Thomas Fitzalan—His Property restored—His Death—John Fitzalan, Baron Maltravers—Will of Fooke Eiton—Tierney's Discovery.

IF the vengeance of Richard II was satisfied by the execution of the Earl, his apprehensions from the resentment of that nobleman's family were not allayed: "The Kyng kept styll in his wages ten thousande archers night and day, that wayted on him: for, he reputed hymselfe not perfytely sure of his uncles, nor of the lygnage of Arundell." ¹

**Thomas
Fitzalan
(1399-1415),
15th Earl**

"Arundell" thus referred to was Thomas, second and only surviving son of the late Earl. He was now in his seventeenth year, and, not content with the confiscation of his inheritance, the king at once placed him under arrest, and, under the care of the Duke of Exeter, committed him to close confinement within the Castle of Reigate.²

Is Arrested

But the vigilance of Sir John Shelley, the governor, was speedily baffled. In the course of a few months the young nobleman effected his escape to the Continent, where he joined his uncle, the exiled Archbishop of Canterbury.

His Escape

1399

**Returns to
England**

On July 4, 1399, Henry, Duke of Lancaster, attended by Fitzalan, the Archbishop, fifteen lances, and a few servants, landed in England to try his fortunes against King Richard.³

In little more than a month, the latter had fallen into the hands of his opponent; and Fitzalan was, in conjunction

¹ Froiss. ii, cap. 226.

² Pat. 21 Ric. II, p. 2, m. 8.

³ Wals., p. 358.

with the son of the late Duke of Gloucester, appointed to take charge of the royal captive. "Here," said Lancaster, as he delivered the king into their custody, "he was the murderer of your fathers: I expect you to be answerable for his safety."¹ The hint was not lost upon the custodians. During the journey from Chester to London, the restraints to which the prisoner was subjected bore ample testimony to their zeal in the execution of their commission.²

Before their arrival in London, the death of Gloucester transferred the whole responsibility for the security of the king to Fitzalan. When Richard was committed to the Tower, the heir of Arundel was appointed governor of that fortress; and it is not improbable that, when the dethroned sovereign was subsequently removed to Pontefract, he still continued to be held under the same custody.³

The deposition of Richard was followed by the acknowledgment of Henry Bolingbroke as king. On October 13, that prince, by the title of Henry IV, was crowned at Westminster; and Fitzalan, who, on the preceding evening, had been created Knight of the Bath, was summoned to officiate in his hereditary capacity of Chief Butler.⁴

On the following morning the Houses of Parliament assembled for the dispatch of business. The proceedings of the twenty-first year of the late king were annulled; the attainder of the Earl of Arundel was reversed, and his son was restored to all the honours and possessions which had been forfeited by his father.⁵

One of the young Earl's first cares was to mark the original spot where his father's remains had been interred by a "sumptuose tounge of marble stone on the north syde of

¹ *Archæol.*, xx. 173, 174, note h.

² MS. Ambass., apud *Archæol.*, xx. 176, note i. MS. Harl. 1319, *ibid.* 375, 376.

³ *Ibid.* 196, 287, note m.

⁴ Anstis, *Append. to Obser.*, No. 36. *Archæol.*, xx. 339.

⁵ Rot. Parl. III, 425-427, 435.

the quyer,"¹ in the church of the Augustinian friars in Bread Street.

From 1402 to 1411 he was engaged in the wars with Wales and France; in the latter year he was admitted to the order of the Garter.²

The death of Henry IV in 1413 caused no diminution of the favour in which the Earl was held at court. In the same year, the first of Henry V, he was created Constable of Dover Castle, and Warden of the Cinque Ports, with the additional appointment of Lord High Treasurer of England.³

Two years later he joined the army which Henry conducted to France for the purpose of asserting his claim to the French throne, and was present at the siege and capture of Harfleur.⁴ Here he was attacked by dysentery, and obtained permission to return to England. He managed to reach Arundel, but his illness rapidly increased, and

1415

His Death

on the very day on which he completed his thirty-fourth year, he expired at the Castle. His body was interred in the collegiate chapel, and a tomb erected there to his memory. He died without issue. By virtue, therefore, of the entail, created by his grandfather in 1347, the Castle, honour and lordship of Arundel passed to his second cousin, John Fitzalan, Baron Maltravers; his other estates were divided among his three surviving sisters, Elizabeth, Duchess of Norfolk, Joan, Baroness Bargavenny, and Margaret, wife of Sir Rowland Lenthall. The title of Earl of Surrey fell into abeyance between the same parties, but was afterwards granted to the descendant of the eldest.⁵

During the lifetime of Earl Thomas occurs one of the few known references to the Friars Preachers of Arundel. It consists in a record of the ordinations, as priests, by the Bishop of Chichester in the episcopal chapel of his manor of Amberley, on Easter eve, about the year 1410, of "F. John Pedyth and F. Richard Smith, both of the Convent of Preachers at Arundel."⁶

¹ Fabian, ii. 154.

² Ashmole, *Hist. of Gart.*, 708.

³ Pat. 1 Henry V, p. 1, m. 37.

⁴ Wals., 391.

⁵ Tierney, p. 287.

⁶ Palmer, *S.A.C.*, xxviii. 88.

Three days before his death the Earl had made his will.

His Will

By it he directed that all the lands, then in the possession of Robert Pobellowe and Thomas Harling, should be amortized for the benefit of the Maison Dieu. By this means, property in Birdham, Treford, Northwood, Eartham, Ilesham, Tortington, Warningcamp, Kingston near Lewes and a place called Bartholomews, was added to its former possessions. These latter consisted of land at Sullington, Heen, Lychepole, a place called "Feld and Knell," and a tenement, with an adjoining croft, in Arundel. This bequest increased the revenue of the hospital from £50 11s. 0½d. to £101 13s. 10¼d.

Besides this additional provision to the pecuniary resources of the Maison Dieu, the Earl directed his executors "to cause a certain chapel to be built at the gate, called Mary-Gate, in Arundell, in honour of the Blessed Virgin." ¹

**Foundation of
Chapel of St.
Mary**

This chapel, which must not be confused with "the chapel of Blessed Mary over the Gate," was erected a short distance within the gate, on a spot adjoining to the north-west corner of the churchyard. Of its endowment, of the duties to be performed in it, or of the persons to whom those duties were entrusted, no account remains. It is not unlikely, however, that it was attached, by the founder, to the college; and that it continued, till the dissolution, to be served by one of the members of that body.² The only reference to it, beyond that contained in the Earl's will, occurs in a deed of gift to the priory of Calceto. This deed, which is undated, speaks of "one acre of land lying to the north of the Chapel of St. Mary, at Arundel."³ The building itself was of the simple oblong form, measuring 100 ft. from east to west, and composed, like the church, of flints, strengthened and consolidated by the occasional insertion of square blocks of stone. The whole of the north wall, with its original arched doorway, still remains, and divides the pleasure-ground of the Castle from the kitchen garden which is behind it.

¹ Dugd. Bar. i. 320.

² Tierney, pp. 676, 677.

³ Turner, S.A.C., xi. 97.

The succession of John Fitzalan, Baron Maltravers, to the Castle and Honour of Arundel, was not permitted to pass undisputed. On his being summoned, as Earl of Arundel, to attend Parliament in September, 1416, Thomas Mowbray, Duke of Norfolk, instituted proceedings for the purpose of dispossessing him of the Castle. Mowbray based his claim to the property as husband of Elizabeth, eldest sister of Earl Thomas. The claim involved not only the ownership of the Castle, but also the right to the title of Earl of Arundel, which was appendant to it. A protracted litigation followed, which, continuing during the life of Fitzalan, remained at the time of his death, in 1422, still undecided.¹

Little is known of this nobleman's public career, beyond the fact that he accompanied the king in his victorious campaign through upper and lower Normandy in 1418.

Of the military achievements of his eldest son John, who succeeded him, French history, however, contains much. Wherever he commanded the English forces triumphed. In 1432 he was responsible for the total defeat of the enemy at Beauvais; and, in the same year, by his intrepidity and courage, he preserved Rouen to Henry VI. So phenomenal was the success which everywhere attended his arms, that he received the name of "the English Achilles" from his opponents. His services were not forgotten by the king. In 1433 he was created Knight of the Garter; and in the following year the petition, which he had presented asking for the restoration of the privileges enjoyed by his ancestors and claimed by the Duke of Norfolk, was ordered by Henry at once to be adjudicated upon. After a long discussion of the evidence for both sides, the judges found in favour of Fitzalan. They declared him to be, by hereditary right, the owner of Arundel Castle, and, as such, to be entitled to the dignities and designation of Earl of Arundel.

¹ Tierney, pp. 101-103, 291.

Meanwhile, the Earl, who had entrusted this affair to the management of his friends in England, was steadily engaged in the prosecution of his military duties on the Continent. Both in Normandy and in Maine he broke down all opposition to the rule of England, but while attempting the reduction

1434

His Death

of the fortress of Gerberoy, in 1434, a round shot from a culverin, striking him on the ankle, shattered his leg. He was removed to Beauvais, where he died in the following year, from the effects of his wounds. By his will, he directed his body to

His Will

be buried in the collegiate chapel of Arundel, in the wall, between the choir and the altar of our Lady.¹

Tierney, at the time of the publication of his history, relying on the statement made by Monstrelet that the remains were buried in the church of the Grey Friars at Beauvais,² believed that the Earl's last wish had not been carried out. But the finding in 1857, in the Prerogative Court of Canterbury, of the will of Fooke Eiton (proved December 12, 1454) led to an interesting discovery. In that will the following passage—

“Also I woll that my Lord of Arundell, that now is, aggre and compoune with you, my seede executours, for the bon (bones) of my Lord John his brother, that I broughte out of the frenche menns handes delyverance, he owith me a ml. marck and iiiic. and aftere myn executours byn compouned with, I woll that the bon ben buried in the College of Arundell, after his intent, and so I to be praide fore, in the College of Arundell and Almeshouse, perpetually.”

suggested to the learned historian³ that the bones of the Earl had, after all, been brought from France and interred in the collegiate chapel. Obtaining permission from Bernard-Edward, Duke of Norfolk, he at once proceeded to excavate beneath the tomb erected in memory of the Earl. This occupied an opening, formed for its reception, in the wall between the principal collegiate chapel on the south, and the chapel of the Blessed Virgin on the north. The wall on which the tomb rested, and which had been cut away to receive it, had all the appearance of being solid

¹ Tierney, pp. 297-302.

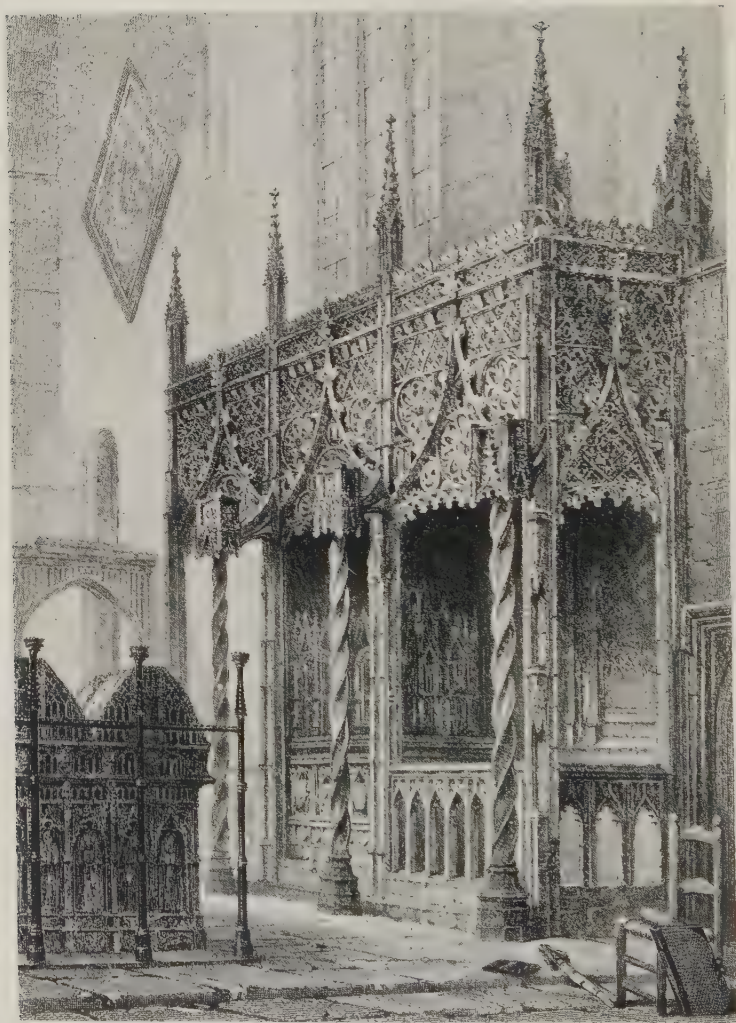
² Monstrel., vii. 202.

³ See Appendix XII.

throughout, but a careful exploration proved that it was composed of hollow masonry, and, within the space thus provided, the explorer had the crowning satisfaction to find a human skeleton complete, with the exception of the bones of one leg ; the absence of which, according with the known cause of the Earl's death, served to establish the identity of the remains. The bones were replaced, the opening in the masonry closed, and John, seventeenth Earl of Arundel, once more reposes undisturbed in the spot which he himself selected for his interment.¹

Discovery of
his Remains
by Tierney

¹ Tierney, *S.A.C.*, xii. 232.



TOMB OF WILLIAM FITZALAN, EARL OF ARUNDEL, 1488.

CHAPTER VIII

Nineveh—Pre-eminence of the Title “Earl of Arundel” Established—William Fitzalan—His Learning and Patronage of Caxton—Decay of Pynham—Chapel and Hospital of St. James ad Leprosus—Completion of the Chapel of our Lady—Dispute between the College and the Town—Suppression of Pynham—Transfer of the care of the Bridge to the Mayor and Corporation—Its Effect—Suppression of the Black Friars’ Monastery.

TO the nobleman, the discovery of whose remains by Tierney has just been narrated, Turner ¹ ascribes the erection of a large mansion in Arundel, known, at any rate for some years prior to its demolition in 1833, by the name of Nineveh. His account, however, contains so many inaccuracies that too much reliance cannot be placed on it. Thus he speaks of John Fitzalan, to “whose military exploits abroad” he refers, as “the eighth Earl of Arundel,” whereas he was the ninth Earl of his family and the seventeenth Earl of Aundel. This error is due to confusing him with his father John Fitzalan, Lord Maltravers. And further, when mentioning the survey of the town “in 1370” (the correct date of Earl Richard’s survey is 1380), he states that “Paradys” referred to in it was probably the pleasure-garden of the Maison Dieu: since, however, that hospital was not built until 1395, this land could have had no connexion with it, at least at that time. Apart from errors such as these, his description is of much value.

According to it, the house stood in Tarrant Street, on a site now partly occupied by the Congregational chapel. Its outer walls were of chalk, faced with flint, the coignes

¹ Turner, *S.A.C.*, xx. 184-193.

and dressings being of stone. The mullions, and long and short work of the lower windows, on the south side of the house, were also of chalk. The house itself was spacious, nearly if not quite square, and very substantially built. Its windows generally were divided by one or more stone mullions. There was an arched doorway in one side, the arch being worked in brick, with semi-Gothic heading. This door led into a large and well-proportioned hall, around which, close to the walls, and beginning near this entrance door, was a grand staircase of more than ordinary width ; the steps of which were solid blocks of oak, the balusters, enclosing it on each side, being beautifully carved. On the lower flight they were pillar-shaped, while those on the upper were carved with Janus-like figures, one face being inside, and the other outside. The hand-rail was of great strength and moulded ; and at the bottom of the flight were large newells with carved heads and drops. The string-boards of the stairs were also carved in scrolls and flowers. By means of this staircase not only were the sleeping apartments of the house approached, but also the room which was evidently its principal sitting-room. This, which was of stately dimensions, had a high-pitched ceiling and its walls were wainscoted with dark framed oak panelling, partially moulded. At the west end of the room, opposite to the door, was a large open fireplace, the chimney-piece of which was of polished Sussex marble, in the elliptic style, over which was an elaborately carved mantelpiece. The workmanship of the latter was of the greatest beauty and elegance. Its upper portion consisted of a chastely carved entablature, which was supported by three isolated carved pillars, behind which were panels covered with carved works ; each panel being led into a circular headed projecting frame, also chastely carved. The pattern of the carving of the entablature, the pillars and the panels, was roses. The framework was wrought in a trellis pattern of leaves and flowers. At the end of the entablature, and between the supporting pillars, were large pendant acorns, while about its centre, carved in very bold relief, was a horse holding a fruited oak branch in his mouth, the well-

known cognizance of the Earls of Arundel. The total size of the mantelpiece was about 10 ft. each way.

Under the sitting-room, and of corresponding size with it, was another apartment which may have been either the kitchen or the dining-room. It was wainscoted with plain dark oak panelling, and it opened directly into the hall. On the ground floor were three or four other rooms, which were evidently appropriated to the servants' use. Underneath there was an extensive cellarage.

The north side of the house ran parallel to Tarrant Street, which at that time contained few if any other houses. The principal entrance was on the south ; it opened on the pleasure-grounds, which, lying between the house and the river, were enclosed by the wall. In the eastern portion of this wall was an arched gateway, closed by means of folding doors. Over the point of the arch, midway between it and the wall-coping, a stone six inches square, on which were carved in relief a horse with an oak sprig and under the latter the letters " I. A." was let in. This stone was, at a later date, removed, but, fortunately, shortly before the demolition of the building, it was found buried beneath the soil close to the house. The presence of the letters " I. A." upon it in conjunction with the horse, justify the assumption that the mansion was built, and possibly occupied, by John Fitzalan, Lord Maltravers, or by his son. It seems more reasonable to attribute this to the former, whose ownership of the Castle was, as has been seen, in dispute throughout his life, and who, had a decision been given in favour of the Duke of Norfolk, would have been without a residence ; whereas his son, the seventeenth Earl, was, during his brief career, constantly engaged in the war in France. If this conjecture be correct, it would place the erection of Nineveh somewhere between the years 1415 and 1422. When it acquired, or to whom it owed, its Assyrian-sounding name is not known, whilst its subsequent history must ever remain, to the antiquarian at least, a matter for regret. In 1440 it degenerated into a hostelry, afterwards known as *The Star*¹: about 1650 it was

¹ Hillier, *A Day at Arundel*, Ed. ii, p. 11.

converted into tenements for the occupation of labourers. This purpose it continued to serve until 1833, when it was totally demolished, its carved woodwork dispersed or wantonly destroyed, its choice mantelpiece cut up to form a cabinet by Turner himself, and its site devoted to the erection of an edifice the very antithesis in architectural taste of the original building.

Humphrey Fitzalan (1435-1438), 18th Earl Earl John was succeeded by his only son Humphrey, who, however, died April 24, 1438, in the tenth year of his age. On his demise the titles and estates passed to his uncle, William Fitzalan, **1438 William Fitzalan (1438-1488), 19th Earl** who, in December, 1441, was summoned to Parliament by the title of Earl Arundel. In 1446, however, Thomas Courtenay, Earl of Devonshire, challenged the precedence which had hitherto been assigned to the Earls of Arundel. The controversy lasted for three years. At the end of that time Henry VI gave judgment. He stated that, having considered "the title and right of the said Earl of Arundel, in the premises opened, shewed, and declared, as well in writing as otherwise, he pronounced, determined, and decreed, that William, now Earl of Arundel, **Pre-eminence of the Earldom of Arundel Established** have, keep, and enjoy his seat, place, and pre-eminence, in the high court of Parliament, and in the King's councils, and elsewhere in the King's high presence, as Earl of Arundel, by reason of the Castle, honour, and lordship of Arundel, as worshipfully as ever did any of his ancestors, Earls of Arundel, afore his time, for him and for his heirs, without letting, challenge, or interruption of the said Earl of Devonshire, or of his heirs, or of any other person." ¹

This ended the dispute, which, in its results, confirmed the Parliamentary decision of 1433, and established the earldom in its original supremacy of honour, above every other similar title of dignity.

Although the political conduct of William Fitzalan bears a very questionable character, since he readily sided with the Houses of York or Lancaster as the balance of strength shifted to the one or the other, the same cannot be charged

¹ Rot. Parl., v. 148. Tierney, p. 139.

against his private life. He was learned, in an age when learning was neglected or despised by persons of his order ; he was the patron and friend of literature ; and, besides the donation of the manor of Aynho, in Northamptonshire, with other property, to the college of St. Mary Magdalen, Oxford, on condition that the fellows " should keep a morrow-mass, in the said college, called Arundel Mass, at an altar called Arundel Altar, for the souls of the said Earl, of Thomas Lord Maltravers, and their survivors,"¹ the following passage from Herbert's *Topographical Antiquities*, bears testimony to the valuable aid he gave to the introduction of printing into England. It is part of the preface to the original edition of Caxton's *Golden Legend*:

" And foreasmuch as this sayd worke was grete, and overchargeable to me t'accomplish, I feryd me in the beginninge of the translacyon to have continued it, ne had yt be at th'instance and requeste of the puissaunt, noble, and vertuous Erle, my lorde Willyam, Erle of Arundelle which desired me to proceed and continew the sayd worke, and promised me to take a reasonable quantity of them, when they were acheyved and accomplished : and sent to me a worschipfull gentleman, a servant of his, named John Stanney, which sollicitated me, in my lordes name, that I schulde in no wyse leve yt, but accomplysh yt, promysing that my sayd lorde schulde, during my lyfe, give and graunt unto me a yerelie fee, that is to wete, a bucke in somer, and a doo in wynter, with which fee I hold me well contente. Which worke I have accomplyshed at the commaundement and requeste of my sayd speciall good lorde, W. Erle of Arundelle, and have finished yt at Westmestre, Nov. 20, 1483, the first yere of the raigne of Kynge Rycharde the third, by me

W. CAXTON."

1482

Earl William died at Arundel Castle in 1482, and was buried in the collegiate chapel.

During his life, the condition of the ecclesiastical establishments at Arundel foreshadowed their subsequent history. Some continued to prosper, while others exhibited the signs of the gradual decay which, at a later period, was destined to furnish a plausible excuse for their suppression by the ministers of Henry VIII.

¹ Wood, *Antiq. Oxon.*, 312.

Among the latter was the ancient priory of Calceto. At the Episcopal Visitation to it in 1441, John Parker, prior, in reply to questions put to him, stated that their house and its revenues were at that time under sequestration ; the Bishop having placed their goods, movable and immovable, in the hands of certain parties, under whose control they were to remain, until the house was freed from debt. And in 1478 Prior Gifford stated that he was not in the habit of rising during the night, for the performance of divine service, nor, as he was informed, had his predecessors been, owing to the paucity of resident canons in the house ; the services of two, viz., Richard Yngram and William Fox, being required elsewhere, and who, in consequence, had resided but little with them for the last six years, being excused, as they themselves stated, by the licence of the preceding prior ; that at that time there were two resident canons only in the house, himself and his chaplain ; that they had for their use, three men servants and a boy, two of whom, with the boy, had no other remuneration than their food and clothing ; and that the common seal of the priory was kept at the college at Arundel, under the charge of Dominus David, the precentor, by command of the visitors and presidents of his order.

He also stated that Thomas Bellyngham, as steward of the priory, kept, at the charge of the house, one superior servant, the expense of which was valued at 6s. 8d. ; but that this privilege was not exercised under the sanction of the common seal, nor with his consent as prior ; but rather with his express and entire disapproval ; and that, in addition to this, he unjustly retained for his own use a tenement, the rent of which was 10s. per annum, and had done so for two years, thereby causing a loss to the priory of 20s.

The prior then asserted that he did not owe more than four marcs, nor was there owing to him of the last quarter's rents more than 40s. ; that the stock of the house consisted at that time of twenty-three heads of cattle-cows, heifers, and yearlings ; that the annual income of the house did not

then exceed forty marcs, £40 being its value at the time the priory was founded ; that they then possessed one gold and one silver cup, a silver salt-cellar and two silver spoons ; that they had but few sacerdotal vestments, and still fewer books ; and that the priory buildings were in a very ruinous and defective condition.¹

Neglect of their sacred duties would seem therefore to have occasioned, or at least to have been associated with, the financial embarrassments which were threatening to bring to an end their corporate existence.

Chapel of St.
James ad
Leprosus

1459

The Chapel of St. James ad Leprosus continued at this period to perform the useful purpose for which it had been founded. In the account roll of the college, for the year 1459, its name occurs among those chapels whose oblations were paid over to the receiver of that house. It is there described as being in the possession of a hermit ; and the amount of the offerings made at its altar, during the preceding year, is stated to have been 1s. 5½*d.* The hermit here alluded to belonged, probably, to the order of Augustinian friars, or hermits, to whom the spiritual charge of the leper hospitals was frequently, if not generally, committed.²

Of the hospital itself scarce any memorial has survived. It comprised two distinct establishments, one of which was allotted to the reception of male, the other to that of female, patients. The endowments were separate ; but of their nature or extent nothing is known beyond the fact that the female community received an annual rent of £9 8s. from the profits of the Swanbourne mills.³

At what period the buildings ceased to be applied to their original purpose must remain a matter for conjecture. Probably, as leprosy began to die out, they were gradually disused, and at length either purposely dismantled or suffered to fall into ruin.⁴

¹ Turner, *S.A.C.*, xi. 106-108. Tierney, p. 685.

² Tierney, p. 679.

³ Esch. 56 Hen. III. Tierney, p. 681, note *c.*

⁴ Tierney, p. 682.

To the time of Earl William must also be assigned the completion of the Chapel of our Lady, which immediately adjoins the collegiate chapel on the north side ; since, although it formed a part of the original foundation of Earl Richard and may have been commenced at the same period as the rest of the edifice, the florid style of its architecture places it certainly not earlier than the latter half of the fifteenth century. It is shorter than the collegiate chapel, and formerly communicated, through a pointed arch, at the west end, with the north transept of the church. Its altar and altar stone, with the niche above, for the reception of our Lady's image, are still perfect ; and the stalls for the priests, though injured much by time and accident, are, nevertheless, sufficiently entire to indicate their original character. The three windows, by which it is lighted on the north side, are of the obtusely pointed form, divided by simple mullions into four principal lights, and having the upper part filled with small pointed arches and other ornamental devices.

The canopies above, embellished with mouldings and crockets, rest on corbel heads of angels holding escutcheons, and form themselves into pediments, each terminating at the top in a pinnacle. The mouldings, however, which are perpendicular, with cinquefoil heads, want depth, and the whole composition, which is, perhaps, one of the earliest specimens of its peculiar style, evidently betrays the unfinished taste of a novel invention.

By the statutes of the founder this chapel was appointed to be used every morning. At its altar, a solemn mass of the Blessed Virgin was to be sung ; and one of the members of the college was to be selected by the submaster for this particular duty. An additional service was subsequently introduced.

By her will, dated July 20, 1455, Eleanor, Countess of Arundel and mother of Earl William, ordered her executors to expend the sum of 200 marks in establishing a chantry in this chapel. It was to exist for the term of twenty years, from the period of her decease ; and the priest appointed to it was to receive ten marks per annum as his stipend, and to

celebrate a daily mass, "at the altar of our Lady," for the repose of the soul of the Countess, and of that of her deceased husband.¹

The completion of the lady chapel was preceded, in 1440, by the foundation of a perpetual chantry, for one priest, at the altar of St. Christopher, in the parochial church. The founders of this chantry were Richard Wakehurst, Walter Urry, and William Okehurst, who obtained a patent for the purpose from the king, either for themselves, or, as appears more likely, as trustees or agents for a person, named Edmund Mille. To support this establishment it was proposed to annex the appropriation of the Church of Rudgewick to the foundation, and to grant to the incumbent's use an acre of land in the same parish, together with another acre, which should form the site of his residence in Arundel. From his receipts, however, the customary portion of the vicar of Rudgewick was to be deducted; he was to distribute the sum of 40*d.* among such of the poor inhabitants as the said vicar should consider most deserving; and he was, in consideration of his endowment, to celebrate a daily mass, at the altar of St. Christopher, for such intentions as the founders should subsequently specify. This arrangement, which had already been sanctioned by the king, was finally confirmed by Bishop Praty; and, on May 9, 1444, William Baynton, one of the members of the college, was admitted as chaplain.²

On the death of Earl William in 1488 the title and estates passed to his son Thomas. The public career of this nobleman contains little of interest. Throughout his life he readily gave his allegiance to the stronger party in the State; in turn he swore fidelity to Edward IV, Edward V, Richard III, Henry VII, and Henry VIII; and, so accurately did he time the transfer of his support to each of his successive royal patrons, that he obtained from each substantial rewards in titles and possessions.

During the later years of his father's life, the revenues of the college had, from various causes, fallen considerably. To remedy this, Earl Thomas conferred

Thomas
Fitzalan
(1488-1524),
20th Earl

The College

¹ Tierney, p. 618.

² *Ibid.*, p. 645.

upon it in 1496 certain appropriations, to the extent of £60 per annum. But even this addition to its income failed to afford more than temporary relief; and when, in 1512, the king obtained a grant from the convocation, of four-tenths, payable from all benefices within the province of Canterbury, for the support of the "holy league,"

and the maintenance of the war in France, the college was compelled to represent its poverty to the Government, and petition to be relieved from the impost. On inquiry, the statement proved correct. The college was included among those establishments whose revenues, "either from fire, inundations, or other casualties, had been rendered inadequate to provide even for their ordinary charges," and a special licence, issued in its favour, exempted it from the payment of any portion of the tax.¹

1511 The financial straits of the college were respon-
Dispute with sible, probably, for the dispute which arose in
the Town 1511 between the college, on the one part, and the mayor, burgesses and parishioners, on the other, as to the liability of their respective bodies to repair the transepts and tower, with the bells and other appurtenances, belonging to the latter.

By consent of the parties, the point at issue was, at length, referred to the arbitration of the Earl, and Robert Sherburne, Bishop of Chichester; and an award
Award of
Bishop of
Chichester was shortly after published by which the burthen was equally divided between the college and the town. To the former the duty of repairing the south transept, "commonly called the chancel of the parish," was assigned; to the latter, the obligation of attending, in the same manner, to the north transept was adjudged; while the expense of upholding the tower, and the emoluments to be derived from the use of its bells, were thenceforth to be shared equally by both.

This decision appears to have set the matter finally at rest, and from this period to the dissolution of the college the repairs of the nave, aisles and north transept, with half of

¹ Regist. Episc., c. 141, 144b, 145b. Tierney, p. 608.

those of the tower, continued to be made at the sole charge of the town.¹

But the occurrence of this dispute, coupled with the declining prosperity of the college, indicated a lack of sympathy between it and the world outside its walls.

**The Great
Renaissance**

**Its Effect on
England**

The cause of this lay in the revival of letters, or great Renaissance, which, beginning in Italy, was fast spreading through Europe. In England it assumed "a tone less literary, less largely human, but more moral, more religious, more practical in its bearings both upon society and politics."²

By means of the printing press the new learning was diffused throughout the land. It was encouraged by the king, the bishops, and the great nobles ; but, distrusting its nature and fearful of its effect upon the people at large, the attitude adopted towards it by the monastic establishments was, from the first moment, one of bitter hostility.

The new movement was popular : it demanded a vigorous campaign of reform in religious life and administration ; in its inception it was in no sense an attack upon the faith itself ; it originated within the Church ; it was cordially

**Opposition
of the
Monasteries**

welcomed by popes, cardinals, and bishops, but it was obstinately opposed within the monasteries. Of these, a portion were free from abuse and well-managed, others made the accumulation of wealth their chief pursuit, while some were guilty of the greatest laxity and even of gross immorality ; and although the records of the college at Arundel clearly place it among the first group, it nevertheless shared in the general unpopularity with which all conventual establishments were viewed at the time.

While the college was thus feeling the adverse effect of the advent of the new learning, the same influence gave the final blow to the sinking fortunes of the ancient priory of Calceto. Among the patrons of the revival of letters in England, none was more ardent than the Chancellor, Cardinal Wolsey.

He saw in it not only the means of consolidating the position of the king, but also of increasing the power of the Church. Nowhere had the new movement taken firmer hold than in

¹ Regist. Episc., c. f. 155. Tierney, p. 645. ² Green, p. 596.

the Universities ; and he determined to foster their growing strength by the foundation of a new college at Oxford.

1524

Suppression
of Calceto by
Cardinal
Wolsey

To provide for its endowment he obtained an Act for the suppression of twenty-two of the lesser monasteries ; among these was the Priory of Calceto. In 1524, he was granted a bull by Pope Clement VII authorizing its dissolution ; the patent of Henry VIII, confirming the decision of the pontiff, was issued in the following year ; and Wolsey immediately took the administration of its revenues into his own hands. But the fall of that statesman finally diverted its possessions into another channel. In 1529 it was seized, under the statute of præmunire, and, in the ensuing year, its lands, with those of the Monastery of Beyham, were given by Act of Parliament to Lucy, fourth daughter of John Nevil, Marquess of Montacute, in exchange for her portion of an annuity, granted to her ancestor, Sir Thomas de Bradstone, in the reign of Edward III. In that lady and her descendants the property remained till 1805, when it was purchased of George-Samuel, Viscount Montague, by Charles, Duke of Norfolk, and settled, under the authority of Parliament, on the Castle and Earldom of Arundel.

At the time when the property was made over to Wolsey it was valued, in spirituals, at £11, in temporal, at £32 os. 10d., per annum¹ ; its deeds and writings were transferred by him to Oxford, where many of them, through exposure to wet and the mercy of rats, perished ; those which still exist are now in the Ashmolean Museum. The seal of the priory is in the Bodleian Library. It represents St. Bartholomew standing in a canopied niche, with a Bible in his left hand and a broad knife in the other, probably in allusion to his being flayed alive previous to his execution.²

1525

Care of
Arundel
Bridge
Transferred
to the Mayor

On the dissolution of the priory in 1525 the care of the bridge at Arundel, which had been one of the duties of the monks, was transferred to the municipal body of the town ; and, from that time, the office of bridge-warden became vested in its mayor.

¹ Tierney, p. 687.

² Turner, *S.A.C.*, xi. 95, 103.



PHILIP HOWARD.



THOMAS HOWARD.

About the same period, the name of "burgesses"—the rightful designation of the tradesmen resident in the borough—began to be applied exclusively to members of the corporation. The cause which led to this unwarrantable usurpation is not far to seek. The monks of Calceto possessed, in return for their care of the bridge, certain rights of pasturage in the brooks. These, with the transfer of the custody of the bridge, passed to the members of the corporation, who thus acquired a special right in the land in question. The older privilege of a similar right of pasturage, common to all the burgesses, was submerged in the newer right of the corporation. Gradually the use of the meadows grew to be looked on as the perquisite of the corporate body; what had belonged to the many passed into the hands of the few; the original grant made by William de Albin or by Roger Montgomery was conveniently ignored; and the nefarious transaction was completed by the restriction of the term "burgesses" to the members of the corporation. This, since the old name of "Burgesses Brooks" remained unaltered—names often persist after their true significance has been lost—was an inevitable sequel to the appropriation of the sole use of the land.

Towards the end of his life Earl Thomas retired from court to the seclusion of his house at Downley Park, near Singleton, where he died on October 25, 1524. He was buried on the north side of the choir in the collegiate chapel at Arundel.

To his son and successor, William Fitzalan, Tierney¹ is inclined to attribute the building of the north-east wing of the Castle, as it appeared prior to 1643; others, however, refer its erection, basing their opinion on the presence in its walls of fragments of tabernacular work supposed to have come from the college on its dissolution in 1544, to his son Henry, the last of the Fitzalans.

During the time of Earl William important changes took place in the town. The fall of Wolsey and the rise into power of Thomas Cromwell were sounding the death-knell of the monastic establishments in England. The Cardinal had decided on their reform by the Church; but the new

¹ Tierney, p. 53.

William
Fitzalan
(1524-1544),
21st Earl

minister, regarding the latter as the one obstacle in the way of his plans for the building up of an absolute monarchy, determined to crush its power by making the king "on earth Supreme Head of the Church of England." The "Act of Supremacy" was passed in 1524, and, in the following year, Cromwell rose to the post of Vicar-General or Vicegerent of the King in all matters ecclesiastical. His first object attained, he turned his attention to the suppression of the monasteries, for whose continued existence he found no place in his system of absolutism.

"Two royal commissioners, therefore, were dispatched on a general visitation of the religious houses, and their reports formed a 'Black Book,' which was laid before Parliament on their return. . . . But, in spite of the cry of 'Down with them' which broke from the Commons as the report was read, the country was still far from desiring the utter downfall of the monastic system. A long and bitter debate was followed by a compromise which suppressed all houses whose incomes fell below £200 a year, and granted their revenues to the Crown, but the great abbeys were still preserved intact."¹

The visit of the commissioners alarmed the Dominicans, many of whom withdrew from England. At
 1538 Arundel those who remained numbered only
 Suppression of the five; and, on October 10, 1538, the priory
 of the of the
 Priory of the
 Dominicans was suppressed. Its surrender is recorded in the following memorandum:—

"Md. We ye p'or and Co'ue't of ye blacke fryers of arru'dell, wt one assent & co'sent, wt owte any man' of coaccyon or co'sell, do gyue owr hwise Into ye hands of ye lorde vysytor, to the Kyngs use, desyerynge hys grace to be goode and gracyous to vs. In wyttenes, we subscribe owr namys wt owr p'per hands, the x day of october, In ye xxxth yere of ye raygne of owr most dred sou'eyn lorde, Kynge Henry the viijth.

by me freer John Colwyll, prior.

by me frere Wyll'm Cofy'ton.

by me Fryer Wyyllam Welche.

by me Frier Rychard damyk.

by me frier thomas Mattheu."²

¹ Green, v. ii., p. 671.

² Treas. of Rec. of Esch. vol. B2/19, Sub. of Monas. No. 9. Palmer, S.A.C., xxviii. 89.

The property thus seized was very little gain to the royal treasury, as it consisted only of the buildings, their site, small garden and orchard, and a meadow of two acres. The priory itself remained unoccupied, as no tenant could be found even at the rent of 2s. a year. At last, November 3, 1540, Edward Millet, of Westminster, yeoman of the royal household, bought both it and the house of the Black Friars at Chichester, for £27. The purchase at Arundel included the house and site, the priory church, belfry, and burial ground, with all buildings, ponds, gardens, and orchards within and without the precincts, and the two acres of meadow, for all which the rent of 2s. a year was to be paid into the court of augmentations; and the whole, with the house at Chichester, was to be held to Millet and his heirs for ever, *in capite*, by the twentieth part of a fee.¹

¹ Palmer, *S.A.C.*, xxviii. 90.

CHAPTER IX

Suppression and Demolition of the College—Dissolution and Destruction of the Maison Dieu—The Corporation Minute Book—Municipal Usurpations—Swanbourne Mill—Doles—"The Last of the Fitzalans"—The Corporation obtains the Freehold of the "Burgesses Brooks."

THE year of the sale of the Black Friars' property at Arundel witnessed the failure of Cromwell's foreign policy, and the king, angered by the position thus brought about and enraged at the marriage which he had persuaded, or compelled, him to make with Anne of Cleves, basely turned upon his minister. Cromwell was charged with treason and his execution speedily followed. But he had taught the king the value of absolute power, and the ease with which the royal coffers might be filled by the confiscation of the revenues of the lesser monasteries. Neither lesson was lost upon Henry ; his cupidity had been whetted and he passed readily from the dissolution of the smaller establishments to the spoliation of the great abbeys.

At first it seemed as though the college at Arundel had found favour in his eyes. In 1541, in return for the manor and lordship of Bury, he conferred on it the lands, manor, and other appurtenances of Hayling Island, formerly belonging to the dissolved monastery of Sheen ; those of Shipley in Sussex, parcel of the possessions attached to the late hospital of St. John of Jerusalem, at Clerkenwell ; and the site, lands, and tenements of the preceptory of St. John, at Poling, the chapel of the same, and the liberties, woods, and other appurtenances, thereunto belonging. This property was granted on the payment of an annual rent of £6 14s. 10½d. to the Crown.¹

¹ Pat. 33 Hen. VIII., m. 3. Tierney, p. 611.

The good fortune of the college, however, was but short-lived. Before the end of the year 1544 measures had been taken to secure the resignation of its property into the hands of the king ; and on December 12, eleven months before the passing of the Act of Parliament legalizing the suppression of chantries and colleges, a deed of surrender was drawn up, and signed by Alan Percy, the master, in which it was declared that he, “ the said master, with the chaplains, or fellows, of the College of the Holy Trinity at Arundel, after serious deliberation, did, unanimously, and of their own accord, in consideration of the many weighty and conscientious reasons specially moving them thereto, willingly, freely, and without reserve, for themselves and their successors, assign the said college, with the whole property and possessions of the same, and all right, title, and inheritance thereto, to the king and to his heirs for ever.”¹

The college was then formally surrendered to Dr. Richard Rede, the royal commissioner ; and on the 26th of the same month a patent, issued from the king’s court at Westminster, conveyed it, with all its estates, to Henry Fitzalan, Earl of Arundel, son and successor of Earl William, who had died in January of the same year. For the favour of this conveyance, however, a proportionate sum was required from the grantee. The immediate payment of 1,000 marks was demanded and obtained ; an annual rent of £16 16s. 0½d. was fixed on the property ; and, on these conditions, the Earl was allowed, for himself and his heirs, to take possession of “ all and singular the site, lordships, manors, lands, tenements, and other hereditaments of the said college and chantry of the Holy Trinity, at Arundel,” to be held of the king, by the military service of the tenth part of a knight’s fee, for ever.

The work of demolition now commenced. The buildings, with the exception of the chapel and the master’s lodgings, were immediately dismantled and unroofed ; the more valuable portion of the materials was removed ; the rest was suffered to fall into ruin, or minister, as occasion required, to the wants of other edifices.²

¹ Claus. 36 Hen. VIII., m. 33.

² Tierney, pp. 611–613.

The suppression of the college was followed, a few months afterwards, by the dissolution of the Maison Dieu. This step was inevitable owing to the close association which existed between the two establishments.

**Dissolution
of the
Maison Dieu**

On its dissolution, the hospital, with all its lands, was granted to Henry, Earl of Arundel; the buildings were forthwith dismantled; and the whole was left to moulder beneath the ravages of the elements.¹

What became of, or whether the Earl undertook to provide for, the aged poor who had found shelter beneath its roof, history does not relate.

The destruction of the monasteries was not, however, the only event which, at Arundel, marked the reign of Henry VIII. To the same epoch, and to the same spirit of subversion of ancient private rights to royal and official aggrandisement which characterized it, must be assigned a far-reaching and sinister invasion of the liberties of the inhabitants of the borough.

As has already been stated, the corporation had acquired in 1538 the pasturage rights of the monks of Calceto. A valuable endowment had thus been secured to the members of the municipal body; their position had ceased to be a purely honorary one; and the evils inseparable from the association of personal profit with the performance of public duty soon began to manifest themselves.

To the local historian, however, this very influence has its compensation; since, to the financial interest thus stimulated, must be traced the decision of the corporation, at this time, to keep written records of its transactions.

1539

**Corporation
Minute Book**

**The
"Burgesses
Brooks"**

In 1539 a book for this purpose was presented by Humphrey Higgons, one of its members, and, although its contents relate mainly to the care of the "Burgesses Brooks," many a side-light is thrown by it on the past history of the town.

The original-binding of the book is a good example of early sixteenth-century work. When it was rebound in 1846 some of the old pages were evidently missed out and others were

¹ Tierney, p. 670.

inserted at the end without regard to chronological sequence. The whole, however, forms an interesting and invaluable source of information. Pasted to the inner side of the back cover are the words, "God save our Sovereigne Lord Kyng Henry the viijth." The first page intimates:

"This booke ordaynyd And made
the yere off oure Lord god
one thousand ffyve hundreth
And 39 & In the xxxth yere off ye reigne off
our most dread And Sovereigne Lord
Kyng Henry the viijth.

for this yere Afforsayde thes many brothers And
Systers as here aftr. ffolowyth bye name."

Then follow in order the names of the mayor, senior burgess, coroner, brookwarden, constable, portreeve, and councillors. The second page recites:

"The othe to be gevyn
At the makynge off Bourges."

This oath enjoined loyalty to the "mayor and brothers," observance of all rules and statutes, and the avoidance of "backbytynge, slaunderyng and tale barynge." It concludes with the customary formulary, "Kysse the booke. So help me God."

The earlier minutes in the book are recorded in a beautifully neat and clear hand, possibly the work of a clerk appointed for the purpose; the mayor and other members of the corporation rarely attempting more, in the way of literary effort, than to affix their marks.

One of the first steps taken by the corporation, after acquiring the pasturage rights of the monks of Calceto, was to restrict to themselves the title of "burgess" and thus to obtain sole control of the use of the meadows. This success paved the way for further corporate usurpations. The election of burgesses had been anciently made by the
1540 people. Soon after 1540, however, this fell into abeyance, and vacancies in the municipal body were henceforth filled up by the vote of its existing members. Equally destructive of the principles of good government was the practice, which came into vogue about the same time, whereby each newly elected burgess paid a sum of

money, termed a fine, on his election. This money was divided among the existing members of the corporation, and thus was instituted what was little better than election by purchase. Occasionally the whole, or a portion, of the fine was returned when a member voluntarily
 1550 resigned his seat. A minute, entered in 1550, refers to this:

"Be it known that I John Norton Mayr of Arndell and my bretheren by hole consent of or brether have leyd out iiijlb vjs and iijd to John blabr for ye Releasyng of ye seyde John hys bur-gesschep and it is A greyd by ye hole consent of ye seyde Mayr and hys bretheren to Provyde ye seyde iiijlb vjs and iijd at the next burges that shall be mad thes be Namys of them that shall Provyde this seyde mony John Neston Mayr" . . . "and moreover it is A greyd by ye seyde Mayr and his bretheren that these seyde ye above namyd shall have ye iij parte of grose to them and to ther assynes unto ye tyme that ye seyde brothers have ther monys Agayne the which is grannt to be payd at ye next burges that shall be made."

Once instituted the amount of the fine rose rapidly; about 1559 it averaged £6 13s. 4d.; in 1568 it had grown to £10, and from that date onwards, until the passing of the Municipal Corporations Act, it still further steadily increased. The maintenance of order within the town being one of the mayor's duties, the corporation, in 1542, enacted:

"an order taken for alehouse and for kepyng of company att servyes tyme or att any tyme unlawful he that so kepyth at any tyme shall forfeit vjd and they that so ofend shal be at the mayrs correction."

and in 1543:

"wo so ever do ofend within the bowrow town of Arundell shall be at the mayres commandment to take to the court-house for to be ponyshyd for hys faut unto such tyme that the partes be a greed for ther faults in payn of vld of any man that wel not a byde thys correctyon."

The Court-house The House of Correction
 The court-house alluded to stood at the bottom of High Street, opposite what is now the Norfolk Hotel, and near where the central lamp is placed.¹ The house of correction for offenders was situated on the west side of the same street.²

¹ Hillier, *A Day at Arundel*, p. 14. ² Tierney, p. 693, note a.



KEEP PRIOR TO RESTORATION.



EXTERNAL OPENING OF CHIMNEY TO KEEP.

Fairplay and domestic respectability among the members of the corporation were also provided for :

" An order for layying of oure pasturing broks the somer for b eststhe xvj day of Aprill in the regne of our suffren lord king herry the viijth xxxv that ther shall no man put in no catell but hys own proper goods nor let hys part to no other man . . . thys order was taken by the mayr and hys bretheren Adam Sheperd then mayr Thomas Crane John Beynet" . . . " of the company. also ther was an order takyen thys same day afore wrote that John beynet shall have a wyff and kepe a house a cordyng to a laudabell order wythein the town hys day ys for to tak a wyff by thys day xij monthes that ys the xijth day of Aprell . . . yff that the seyde John Beynet have no wyff nor be sure of none by thys day a fore wrote that then the seyde John Beynet shall be dysmissed of hys burgess shep in wetnes of truth wee have wrote thys with oure own hands and so hath synyd hyt."

Which course John Beynet adopted history does not record.

Disobedience by a burgess was thus dealt with :

" The Rayne off Quene Mary ye fyrst and in ye fyrst yere iij day off August Phelyp Wythyer mayr off Arndell and . . . burgesses by there holle consent doth clerely dys charge and put out John Neston off ye burges shep and ffredom ffor hys dysobedyens against ye mayer and all hys brytheren. In wyttnes off thys to be true we have put to oure hands."

But the loss of the right to elect the corporation was not the only power which was taken from the people of Arundel when the term " burgess " became restricted to the members of the municipal body. The selection of two representatives to serve in Parliament had been regularly made by the whole of the burgesses since the time of Edward II.

Elections to
Parliament

This power now passed into the hands of the corporation, as will be seen from the following, taken from a document in the municipal chest. The grandiloquent titles accorded to the king and queen in it ill-reflecting the misfortunes of England under their rule :

" This Indenture made the fyrst Day of November in the first and second yere of Philipp and Mary by the grace of god King and Quene of England ffrance Naples Jerusalem and Ireland Defenders of the faythe Prynces of Spayne and Syclye Arche Dukes of Austrus Dukes of Myllen Burgundys and Brabant Countyes of hapsburg

flanders and Tyrol. BETWENE Sir Thomas Saunders Knight Sheref of the County of Sussex on thon pte and Philipp Wythear Mayor of the Boroughe of Arundell in the Countye aforesaid and the Burgesses of the same Borough on thether part WITNESSETHE that the said Mayor and Burgesses have chosen John Durnet and Richard Bowyer inhabitants wtn the said Borough to be Burgesses at the next Parliament of o^r said sovereign Lord and Lady the King and Quene to be holden at Westm^r the xijth Day of November next coming giving them full poo^r and authoryty for the said Mayor and Burgesses and the Coialtye of the said Borough to do and consent unto those things wch shall pertain (by the grace of god) to be ordeyned there for the Utylyty and Pfyte of this Realme of England In witness . . .”

Of other occurrences in the town at this time little worthy of notice is recorded.

During the earlier portion of the period under review, a chantry had been founded either in the churchyard of St. Nicholas or in that of the Holy Trinity. The only reference to it occurs in the will of Urian Aywoode of Bignor, dated October 18, 1545:

“ . . . my body etc. in the Chantry of Bignor in the Church Lytton, at Arundell.”

In 1560 the register of the parish church was commenced. In the same year “ the water milne, called Swanburne milne, also Arundell mill, and the mill-pond and baie thereunto adioyning, and one croft of ground cont’ by estimac halfe an acre, adioyning to the south syde of the said mill ” were leased, for seventeen years, to John Fenne, afterwards mayor of the town, at an annual rent of £31; ¹ and about the same time certain benefactors provided doles for the poor of the borough. Among these were:

1560
Register of
Parish
Church

Doles

Robert Young, who assigned an annual sum of 10s., to be distributed, in bread, on Ash Wednesday, for ever.

Philip Wyther, mayor in 1553 and again in 1559, bequeathed a similar sum, to be distributed in the same manner, on Good Friday.

The widow of Philip Wyther bequeathed a similar sum, for the same purpose, to be distributed annually, on the eve of Christmas Day.

¹ MS. survey, 1572, at Norf. House. Tierney, p. 724, note c.

Bell Ryce, widow, bequeathed the sum of £5 to the churchwardens, and their successors, for the time being, requiring them to give 10s. worth of bread to the poor, on Whitsuneve, annually, for ever.

Thomas Greenfield left £6 5s. to the churchwardens and overseers, for the time being, the interest to be given to the poor, on the last day of February in each year, one half in money, and the other half in bread.

Henry
Fitzalan
(1544-1580),
22nd Earl

On the death of Earl William, in 1544, his titles and estates passed to his only son, Henry, born in 1513.

It is somewhat difficult to follow Tierney in the lavish praise which he bestows on the character and career of this nobleman. That he was possessed of some military ability, great political influence, and considerable popularity cannot be denied. Of him Arthur Gunter, in 1560, says: " . . . and then shall you see the White Horse Bestir him ; for my Lord is of great power."¹ He stood high in favour with his god-father Henry VIII, who, in 1536, had made him Governor of Calais ; he served with distinction at the taking of Boulogne ; he was instrumental in placing Mary on the throne ; by Elizabeth he was treated with so much esteem that, on the death of his second wife, he aspired to a union with the queen, and the magnificent company of lords, gentlemen, and citizens which assembled, at Blackheath, to escort him to London, on his return from Italy, in 1567, testified to the universal affection with which he was regarded. But it is not easy to pass over the deception practised by him on the Duke of Northumberland, the betrayal of his oath of allegiance to Lady Jane Grey, his own relative by marriage, the plot to seize and imprison the secretary, Cecil, or his attempt to marry his son-in-law, Thomas, Duke of Norfolk, to Mary Queen of Scots. The latter design may have been dictated by a desire to revenge the affront put upon him by Elizabeth's refusal of marriage in 1560, or for deeper political purposes, but it was none the less treasonable. That he escaped the fate which overtook those whom he had sought to unite by

His Intrigues

¹ Hatfield MSS., S.A.C., xxiii. 7.

his daring plan may not unreasonably be attributed to the declining state of his health, or, possibly, to some lingering remnant of the affection which the Queen had undoubtedly felt for him in earlier days.

1580
His Death He retired from court in 1572, and died at Arundel House, in the Strand, on February 24, 1580. Little or nothing is recorded of his association with the town of Arundel.

That he evinced considerable interest in its welfare may, however, be concluded not only from the fact that he is known to have cleared and widened the channel of the river from Arundel to the sea, and to have altered the lower part of its course for the purpose of forming a more convenient entrance; but also

Channel
of the River
Widened

Mace from the possession by the corporation of a mace which was, in all probability, a gift from him. It is of silver gilt, 15 in. in length, and is engraved with the arms of Fitzalan, quartering Clun and Maltravers, within the garter. It is also marked, "Thos. Bennett Mayor 1594."¹

Funeral
of the
"Last of the
Fitzalans" The Earl was accorded a "costlye funerall," and was buried "with solemne pompe," on the south side of the altar, in the collegiate chapel at Arundel, where his monument, with a long biographical inscription, may still be seen. The programme of the obsequies is thus recorded in a volume of Dugdale's MSS., now in the Ashmolean Museum:

" Ffirst twoe conductors with black staves;
Then the lxvij poore men in gownes, ij and ij;
Then the Standard, by Mr. Thomas Fewkner;
Then gents in blacke gownes, ij and ij;
Then the Erle of Northumberland's gent;
Then Phillippe, Erle of Arundel, his gent;
Then the gent of the defunct;
Then the Councell learned in the Law;
Then Doctors of Physicke, and other Doctors,
Then Chaplens;
Then the Constable of the Castle;
Then the Steward, Treasurer, and Comptroller;

¹ See Appendix.

Then the Buschop of Chichester ;
 Then the Great Banner borne by Anthony Browne,
 Then the Helmet and Crest ;
 Then the Sworde ;
 Then the Targe ;
 Then the Cote of Armes ;

Then

Mr. Bellingham, Sir W.
 More,

one banneroll.

Mr. Willm. Dawtrey,
 one banneroll.

Mr. A. Kemp, Sir R. Shelley
 one banneroll.



Sir Thomas Palmer, Mr.
 Sheffield, Assistants.

Mr. Pawlet.

Mr. Anthony Browne, son
 to the Viscount Mon-
 tague.

Mr. Hy. Gorynge.

Philippe Earl of Arundel

Lord Lumley

Lord La Warre

Sir Thomas Palmer

Lord Buckurste

Sir Thos. Henage

Sir Thos. Browne

Then twoe yoemen hushers ;

Then all yoemen in blacke ;

Then the Mayor and Burgesses ;

Then Servants having no blacke.”

The cost of the funeral is thus set out :

“ Paid to heraulds at the ffunerall, at the Castle Arundel, March
 22nd. 1579-80.

To Mr. Garter, his fee and transportation,

Item, to Lancaster Herald, his fee and transportation from
 London to Arundel—vj*l.* xiijs. iiij*d.*

Item, to Wyndsor Herauld for the same—the same

Item, to Richmond Herauld for the same—the same

Item, to Yorke Herauld for the same—the same

Item, to the same Yorke Herauld for his coming before to prepare
 the hearse.

Item, for, an in consideration of the hearse, rayles, cloths, velvet
 pall, and all things in, and upon the same hearse the some of——”¹

The Earl was twice married. His first wife was Catherine,
 daughter of Thomas Grey, Marquess of Dorset, and aunt to
 Lady Jane Grey : by her he had one son, Henry, who died
 at Brussels, in 1556, and two daughters named Joan and
 Mary. He was married, secondly, to Mary, daughter of
 Sir John Arundell of Lanherne ; but had no issue by her.

¹ Turner, *S.A.C.*, xii. 262.

Of the daughters, Joan, the elder, was married to Lord Lumley, but died without issue, and Mary became the wife of Thomas Howard, Duke of Norfolk.¹

With the Earl's death, the long line of the Fitzalans came to an end. On the day of his demise, a deed was drawn up and signed at Arundel Castle, by which, in consideration of an annuity of £274 18s. 4d., Lord Lumley, whose wife was already dead, conveyed his interest in the entail to the next heir, Philip Howard, Earl of Surrey and son of Thomas, Duke of Norfolk.²

About the period of the Earl's decease, the corporation became possessed of the freehold of the Burgesses Brooks. How this was obtained does not appear. That a right of pasturage for a limited number of cattle was all that had been conferred in the original grant has already been pointed out, and that this was recognized to be the case is supported by an entry in the MS. survey of 1570, made by order of the Earl, which states that there was due "from the maior and burgesses, for the ferm" (farming out) "of the burgesses brooks, per annum xiijs. iiijd."

Shortly afterwards, however, this payment appears, for the first time, among the quit rents of the Manor. Tierney argues that the declining health of the Earl, and the subsequent changes incidental to the transfer of the property to the Howards, furnished an opportunity, which the corporation was not slow to take, of successfully establishing a right to which it had no legitimate claim. As no documents, bearing upon the point, exist, either at Norfolk House or in the municipal chest, the true explanation must remain a matter of conjecture. But, however acquired, the acquisition of the freehold of the land in question provided the corporation with a powerful lever capable of much in their bargainings with successive lords of the manor, and with a property which ultimately realized for the town a sum far beyond its intrinsic value.

¹ Tierney, p. 346.

² *Ibid.*, p. 19.

CHAPTER X

Philip Howard—" Charter " of Queen Elizabeth—Gaudy and Clarke's " Articles "—Attainder of Philip Howard—The Castle and Town forfeited to the Queen—The " Crown House "—The Bridge re-built—The Vicarage.

FEW are unacquainted with the history of Philip Howard, Earl of Surrey, who, on the death of his maternal grandfather, Henry Fitzalan, inherited the title and principal portion of the Arundel estates. Philip Howard (1580-1589), 23rd Earl Little, however, in that history concerns the town of Arundel. The character of this nobleman, the tragedy of his life, the constancy of his religious faith, the eleven long and weary years of his imprisonment in the Tower terminated only by his death in 1595, his patience under his sufferings, and his forgiving spirit towards those responsible for them, form a fitting subject for the pen of the biographer, but lie outside the sphere of local history. But if the Earl had little connexion with the fortunes of the town, the reverse was the case with his royal persecutor.

1583 In 1583, a controversy having arisen as to the exclusive right of the mayor and his officers to execute writs within the borough, a jury of the oldest inhabitants had declared the immemorial custom to be in favour of the privilege:

" Imprimis, the sayd enhabytants can testyfy that they dyd never knowe nor heare the contrarye (before the sixth or seventh yeare of the reigne of queene Elizabeth) that any person or personnes hath at any tyme served, or of right ought to have served, any wryts of capias within the sayd boroughe, but only the constables of the said boroughe." ¹

And this decision, it was thought, had finally settled the question. But, by some means, intimation of the dispute

¹ MS. at Norf. Ho. Tierney, p. 697.

had reached the Queen's ears, and, with characteristic Tudor jealousy of the prerogatives of the Crown, Elizabeth, in January, 1586, ordered Popham, the Attorney-General, to move for a writ of "Quo Warranto," calling on the mayor and burgesses to show "by what warrant they claimed to use and enjoy the liberties and franchises" there specified.

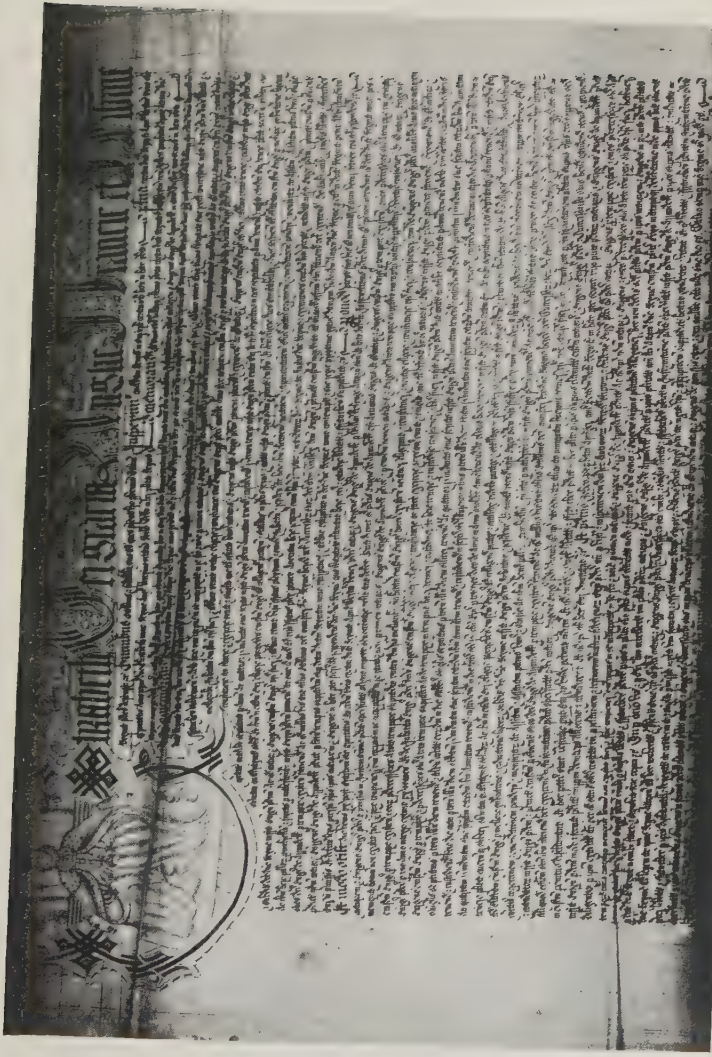
In the following June, a plea, entered on behalf of the corporation, replied to the information, and detailed the privileges claimed and enjoyed by it under established right. The chief of these were, the right to elect the mayor and burgesses; to hold two markets in each week, and four fairs in each year; to hold the borough-court, and there to elect port-reeves and constables, with two sergeants-at-mace, "for the better government and protection of the queen's subjects within the borough. But the plea disclaimed that portion of the charge in which the Attorney-General accused them of asserting their right of electing a clerk of the market, of having "the regulation of weights and measures, and the assize of bread, wine, and ale," and of possessing a pillory, a tumbrel, and a gallows, and of claiming the return and execution "of all writs, precepts, and mandates within the borough." Represented by William Keeling, attorney, and supported by the evidence of "divers credible persons and divers antient records, writings, and evidences of the borough," the corporation gained the day; and Elizabeth, whose immense popularity rested largely on knowing when to yield to the wishes of her people, ordered a patent, dated June 22, 1586, to be issued, confirming to the mayor and burgesses and to their successors for ever the claims advanced in their plea.

"CHARTER" ¹ OF QUEEN ELIZABETH

"Elizabeth by the Grace of God Queen of England France and Ireland Defender of the Faith.

To all Bayliffs and other her faithfull Subjects to whome these

¹ Although habitually spoken of as "the Charter" the document in question is an Exemplification, or Judgment of the Court, and



CHARTER OF QUEEN ELIZABETH.

presents shall come Greeting, WHEREAS WEE have beholden a certain Record in Our Court before Us had in these words following (Vizt.) Plees holden before our said Sovereigne Lady the Queen at Westminster in the Term of St. Trinity in the Eight and Twentieth Year of our Reign in the Second Roll MEMORAND : that Whereas in Hillary Terme last past before our said Sovereigne Lady the Queen at Westminster Came John Popham Esqr, Attorney Generall Who on the behalf of Our said Sovereigne Lady the Queen is Plt, And then brought into the same Court a Certain Information Against the Mayor and Burgesses of the Burrough of Arundell in the County of Sussex which Information followeth in these words Sussex Memorandm : that John Popham Esqr, now Attorney Generall of our said Sovereigne Lady the Queen And on behalf of our said Sovereigne Lady the Queen came into the Same Court Upon Munday next after Octobr Hillarij and for the said Queen gave the Court to Understand and be Informed that the Mayor and Burgesses of the Burrough of Arundell in the County of Sussex By the space of One Year now last past And more have Used and Yet doe Use without Warrant or any Royall Grant within the Burrough aforesaid Divers Liberties and Franchises following (Vizt ;) That they are One Body Incorporate in Very Deed and by the Name of the Mayor and Burgesses of Arundell And by the same Name of the Mayor and Burgesses are called And that the Mayor and Burgesses of the same Burrough Together with Divers the Better Inhabitants thereof have Used and Yet doe Use to Nominate Elect and Constitute one of the Burgesses of the Burrough aforesaid in Every Year to be Mayor of the same Burrough for One Whole Year And of the Inhabitants of the said Burrough To Nominate and Elect and Constitute divers Burgesses and to Doe and Exersice all and Singular the Which to the Like Offices of Mayor and Burgesses within the Burrough aforesaid do belong to be made and Executed And that the Mayor and Burgesses of the said Burrough have Used and Yet Doe Use to hold and keep within the Burrough aforesaid Two Marketts in Every Week in the Year And Four Faires Yearly Within the said Burrough to be holden and Kept Also to hold within the Burrough aforesaid One Court from Three Weeks To Three Weeks Throughout the Year and Within the same Court to hold Any Pleas whatsoever Under the Sume of Forty Shillings and there in the same Court to Chuse Port-reeves of the Same Court to Collect Pikage and Stallage in the Faires and Marketts within the said Burrough and Precincts thereof and there to Elect Two Constables and Two Serjants at Mace of the said Burrough for the Better Government of the Leige Subjects of our Said Sovereigne Lady the Queen within the Burrough aforesaid And that the

is hence of more historical, though perhaps of less sentimental, interest.

Mayor and Burgesses of the said Burrough have Used and Yet doe Use a Court Leet of All and All Manner of Inhabitants and Residents and therein have the Election Nominacon and Appointment of a Clarke of the Market the Corection and Amendment of the Weights and Measures and the Assize of Bread Wine and Ale And there have Pillowry Tumbrell and Gallows for the Punishment of Evil Doers within the Burrough aforesaid And everything else that Appertaineth to a Court Leet Also to have the Return of All Writs Precepts and Mandates of our said Sovereigne Lady the Queen and her Justices And the Execution of all Writs Precepts and Mandates within the Burrough aforesaid and Precincts thereof By their Serjants of the said Burrough of Arundell for the Time to be made and that No Sheriff or Bayliff or Other Minister of our said Sovereigne Lady the Queen her heires or Successors of the said County of Sussex the said Burrough or Precincts thereof may Enter there to do Exercise any thing of their Office of All which Libertys and Franchises aforesaid the said Mayor and Burgesses of Arundell aforesaid by the Whole time aforesaid have Usurped and Yet do Usurp upon our said Sovereigne Lady the Queen to the Contempt of her and the Greivous Damage of Her Royall Prerogative Whereof the said Attorney on the behalf of our said Sovereigne Lady the Queen doth Crave the advise of this Court and due Process of Law against them the said Mayor and Burgesses In the behalf to be made to Answer to our said Sovereigne Lady the Queen by what Warrant they Claime to have Use and enjoy the Liberties and Franchises aforesaid Whereupon it was Comanded that the Sheriff should not Omit to Cause them to appear to Answer the said Complaint. And now (Vitz ;) Upon Fryday next after Crastinum St. Trinitatis in the same at Westminster aforesaid Appeared the said Mayor and Burgesses of the said Burrough of Arundell By William Keeling their Attorney And the said Information being heard they say that they doe not Intend that our said Sovereigne Lady the Queen will not nor ought to hinder them the said Mayor and Burgesses of the Burrough aforesaid Concerning the premises In the Information Mentioned Because that they say that the said Burrough of Arundell is an Antient Burrough and that the Mayor and Burgesses thereof for the Time being And all their Predecessors from the Time Whereof the Memory of Man is Not to the Contraty were and have Accustomed to be One Body Incorporate in vary Deed and Name by the Name of the Mayor and Burgesses of the Burrough of Arundell aforesaid And by the same Name of the Mayor and Burgesses Of the Burrough aforesaid from the Whole time aforesaid have been Accustomed to be Nominated and Called And that the Mayor and Burgesses of the said Burrough for the Time being And their Predecessors from the Whole Time aforesaid Together with Divers of the Better Inhabitants of the same Burrough have Nominated Elected and

Constituted and have Used and Accustomed to Nominate Elect and Constitute One of the Burgesses of the Burrough aforesaid Every Year to be Mayor of the Burrough for One Whole Year from thence Next ensuing And of the Inhabitants of the Burrough aforesaid to Nominate Elect and Constitute Divers Burgesses of the said Burrough And to doe Exercise and Execute All and Singular the Things which to the Office of Mayor and Burgesses of the Burrough aforesaid within the Burrough aforesaid doe Appertain to be made and Executed And that the Mayor and Burgesses of the said Burrough for the time being and their Predecessors from the Whole Time aforesaid and from time to time have held and kept and have used and Accostomed To hold and keep within the Burrough aforesaid Two Marketts in every Week throughout the Year (Vitz ;) One Market upon Thursday every Week to be held throughout the Whole Day And the Other Market upon Saturday in every Week throughout the Whole Day And four Faires within the Burrough aforesaid Yearly to be held and kept (Vitz ;) The faire there first to be kept and held the Third day of May throughout the Whole Day The Second Faire to be held and kept Yearly upon the Feast of St. Lawrence the Martyr throughout the Whole Day The third Faire to be kept Yearly upon the Fourteenth Day of September Yearly throughout the Whole Day And the fourth Fair to be held and kept there Yearly upon the Feast of St. Nicholas the Bishop for Three Whole Days from Year to Year And in every Year and further To have And To Hold Within the Burrough aforesaid One Court from Three Weeks to Three Weeks Throughout the Year and within the same Court to hold Whatsoever pleas under the Sume of Forty Shillings and there in the same Court to Elect Portreives of the same Burrough to Collect Pickage and Stallage in the said Faires and Markets within the Burrough aforesaid and Precincts thereof and there to Elect Two Constables and Two Serjants at Mace for the better Government and Ordering of the Subjects of our Sovereigne Lady the Queen Inhabiting and residing within the said Burrough and the haveing there the Choise Nomination and Appointment of Weights and Measures and the Assize thereof and the Assize of Bread Wine and Ale And there to have Pillowries Tumbrell and Gallows for the punishment of Malefactors within the said Burrough And also to have the return of All Writts Precepts Mandates within the said Burrough and Precincts thereof to be done by their Serjants Of the said Burrough of Arundell for the time being And that no Sheriff or other Bayliff or Minister of our said Sovereigne Lady the Queen her heires or Successors of the said County of Sussex May enter the said Burrough and precincts thereof There to doe or Execute any part of their Office The said Mayor and Burgesses of the Burrough Aforesaid say that they the same Nor any of them never have had used or enjoyed in Manner and Forme as by the Information aforesaid against them

is Supposed But that they Wholely Disclaime them and this they are Redy to Testifie as the Court Shall Allow Whereof they pray the Judgment of the Court And that All and Singular the Liberties and Franchises in this their Plea By them Claimed to be had Used and Enjoyed By them the Mayor and Burgesses of the Burrough aforesaid in Manner and forme aforesaid May be forever henceforth Allowed and Adjudged to them that they may Be hence Dismissed etc. And the said John Popham Esqr. who for our Sovereigne Lady the Queen doth Prosecute having Seen the Plea of the said Mayor and Burgesses of the Burrough and Diligently Examined the same And for that it doth to him Sufficently Appear As well by the Relation and Testimony of Divers Antient Records Writings and Evidences of the Burrough aforesaid That the said Mayor and Burgesses for the time being and all their Predecessors from the Whole time aforesaid have used held and enjoyed within the Burrough aforesaid All and Singular the Liberties and Franchises aforesaid By them in their Plea aforesaid Claimed in Manner and Forme as the said Mayor and Burgesses Pleaded is in All things true Whereupon the said Plea of the said Mayor and Burgesses being fully Understood and mature Deliberation being thereof had in the Presence of our said Sovereigne Lady the Queen her Serjant and Attorney It is by the said Court Adjudged that the said Mayor and Burgesses of the Burrough aforesaid and their Successors all and Singular the Liberties and Franchises aforesaid in the Information aforesaid Specified within the said Burrough of Arundell By them above Claimed (except the Liberties and Franchises by them Disclaimed and Denyed) And all and Singular the rest of the Premisses According to the force forme and effect of the Antient Records Writings and evidences aforesaid of the Burrough aforesaid and According to the use and Prescription aforesaid may have Used and enjoyed and that the Libertys and Franchises aforesaid in the Information aforesaid By the Mayor and Burgesses in forme aforesaid Claimed to the Mayor and Burgesses and their Successors forever henceforth may be Allowed and Adjudged And that they the said Mayor and Burgesses and Every of them Concerning the Premisses may henceforth be Quiet (Saveing allways the Right of our Sovereigne Lady the Queen) Which said Record in our Court aforesaid before Us in forme aforesaid had Wee have Commanded to be Exemplified In Witness whereof Wee have Caused these our Letters to be made Patent Sande

Witness

CHRISTOPHER WRAY

Westminster

the Twenty Second Day of June in
the Twenty Eighth Year of Our Reigne" ¹

¹ Plac. coron. 28 Eliz. rot. 2.

It should, however, be remembered that, notwithstanding the judgment of the Crown, the claims of the mayor and burgesses were false in many particulars. Thus the right of holding the markets and fairs was vested in the lord of the manor, to whom, in fact, the profits were paid, the corporation being responsible merely for the collection of its tolls and the regulation of its proceedings. In like manner the borough-court belonged to the lord and accounted to him for its fines: whilst the election of constables and other officers, here asserted to have taken place in it, had ever been restricted to the Court leet. With regard to the remaining part of the plea, it is certain that all the liberties which it disclaims were really the privileges of the lord: yet it is nevertheless true that, after the issue of the patent, the corporation continued to exercise in its own right the very liberties disclaimed by it.¹ The ancient writings referred to, together with the tumbrel, pillory and gallows, have long since disappeared.

The success of the corporation was not, however, confined to the confirmation of its ancient rights. The claims advanced in the plea, to what were undoubtedly privileges belonging to the lord of the manor, were also secured to it by the terms of the patent. At the trial no one seems to have appeared on behalf of the Earl of Arundel; **Misfortunes of the Earl** and the ready acquiescence of Elizabeth in the abrogation of his rights can only be explained by the position in which that unfortunate nobleman was placed. During the preceding month, he had been condemned on a charge of being reconciled to the Church of Rome; of having corresponded with Cardinal Allen, the declared enemy of the queen; and of having attempted to leave the realm without the royal licence. He had in consequence been mulcted in a fine of £10,000, and he was now, once more, a prisoner in the Tower, "in the same noisome and unwholesome apartment," where he had already spent the whole of the preceding year, and where he was destined to spend the remaining ten years of his life. Thus did the misfortunes of the Earl con-

¹ Tierney, p. 699, note a.

tribute to the further advancement of the power of the corporation.

If, however, the patent of Elizabeth established the claims of the municipal body, the wording of the Charter was in places so vague that further litigation speedily followed.

1587

Mayoral
Dispute

In 1587, the very year after it had been obtained, two burgesses, Francis Garton and William Lusher, were put in nomination for the mayoralty. Instead of conforming to the ancient usages of the election, each party undertook to challenge some particular deviation from the established custom ; and, as each was supported by a numerous body of adherents, each was enabled to claim the victory for himself. Under other circumstances, a reference to the patent might have determined between the pretensions of the rival candidates : but, in the present instance, both appealed with equal confidence to its provisions ; and it became necessary, therefore, to resort to the authority of some superior tribunal for the decision of the question. To Sir Thomas Gaudy and Mr. Clarke,

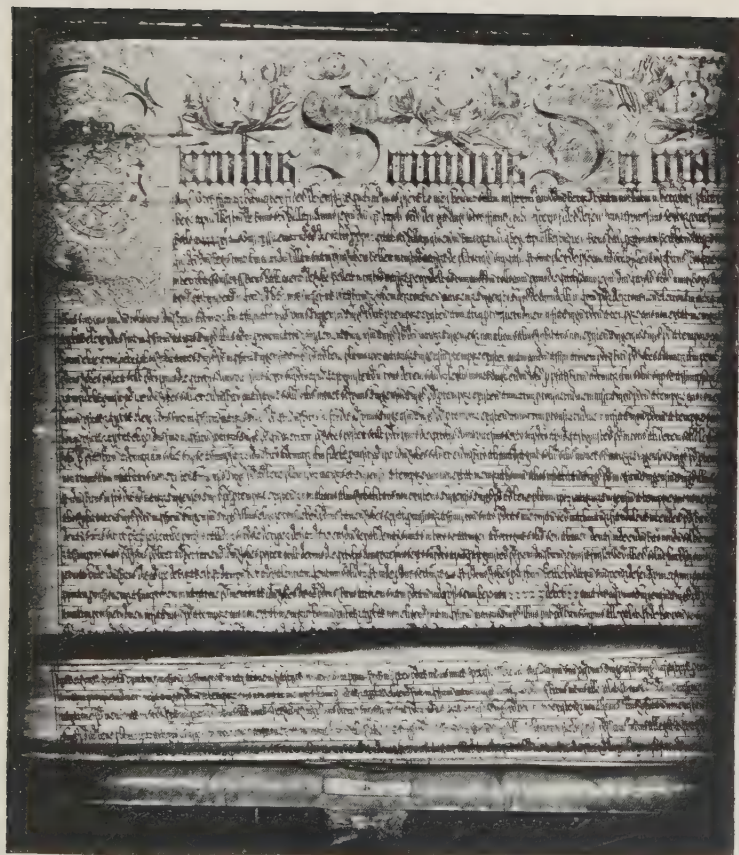
1588

Articles of
Gaudy and
Clarke

two judges, the matter was entrusted by the queen, and the following " articles of agreement indented " were at length drawn up, by consent of the parties, and ordered to be registered, for the settlement of all future controversies. They are dated 1588.¹

" Articles of agrement indented sett downe by Sr. Thomas Gaudy knight one of her Maties. Justices of her plees before her highnes to be holden And Robert Clarke one of her Maties. Barons of her highnes Courte of Excheqr. uppon a controversye moved in the Burroughe of Arrundell touching the election of the maior of the said Burroughe ffor that ffrances Garton genth one of the Burgesses of the said Boroughe ptended to be Maior of the said Boroughe by force of an election of hym made by the Maior and most parte of the Burgesses of the said Towne the Third day of October in the Nyne and Twentith yeare of her Mats. Raigne for the yeare following by vertue of an allowance in a quo warranto lately allowed bearyng date the Twoo and Twentith day of June in ye xxviijth. yere of o^r soveraigne Lady the Queenes May^{tie} varying from the

¹ Tierney, p. 700.



EXEMPLIFICATION.
GRANTED BY CHARLES II.

ancient usage and accustomed manner of election in the said Boroughe And William Lasher genth one other of the Burgesses of the said Boroughe whoo likewise challenged to be Maior for that he was chosen at the lawday houlden for the same Boroughe the said day and yeare by an election and elected, also differyng from the auncient usage and accustomed manner of elections in the same Boroughe ffor quietyng whereof the said cause was remytted by the . . . of her Ma^{ties} most Ho : privy Counsell to the hearyng and determynacon of the said Sr. Thomas Gaudy knight and Robert Clarke, who after the learned Counsell of both sydes deliberately heard have ordered the same by the assent of the ptyes to the same in the Thirtieth yeare of her Ma^{ty} Raigne.

Imprimis the Lawday for the Boroughe of Arundell shalbe kept for the said Boroughe yearely the Tewsdays next after the feast of St. michael Tharchannell according to the auncient Custome so used to be kept.

Item the Maior of the Boroughe of Arundell for the tyme being shall yearely retorne the Jury for the laweday to the Erle of Arundell's Steward in wch retorne they shall put in the Burgesses of the same Boroughe principally and with them so many other of the principall inhabitants as shall make upp the full number of fflower and Twenty according to the auncient Custome. Provided allways that yf the maior of the said Boroughe for the tyme being shall neglect or obstinately refuse to retorne the jury in manner and forme above written, he or his deputy in his absence being solemnly called for the retorne of the said jury in the begynning of the said Courte on the Lawday Then the said Erles Steward and of his heirs for the tyme being by his good discretion shall pudtly call to hym Twoo of the auncientest Burgesses of the said Boroughe and they ioynctly together to retorne the Jury for the Lawday in manner and forme as is before mencioned.

Item the Jury being returned as aforesaid after their othe taken, and charge to them given by the said Stewarde according to their accustomed order shall put and publish Twoo of the Burgesses names unto the same Stewarde out of which twoo the Comens not being of the Jury shall by the most voytes chose out to be their Maior of the said Boroughe for the yeare following according to their auncient Custome And uppon this their election the said Stewarde for the tyme being pudtly give unto hym so elected to be Maior his othe accustomed to be given in the said Lawday and then the olde Maior to delyver over to the said new elected Maior his maces in token of his auctoritye as it hath byn of olde tyme used and accustomed to be.

Item the said Jury shall put in the said Lawday to the said Steward all such other officers which of olde tyme used and accustomed to be elected, or so many of them as they may lawfully present and pudtly in the said Lawday the said Steward to give

them their severall othes for the due execucon of their severall offices as of auncient tyme they have used and accustomed.

Item the Maior of the said Boroughe for the tyme being by his serjants shall warne the inhabitants of the same Boroughe to the Lawday yearely as of olde tyme they have used and accustomed and not by any Bayliff or other officer of any the hundreds of the said Erle unless it be by the negligence or willfull obstinacy of the said maior and serjants.

Item the maior shall yearely keep a Courte in the said Boroughe from Three Weeks to Three Weeks as of auncient tyme they have accustomed, called the Boroughe Courte And the said Erle and his heires shall have the proffitts of the same Courts and the sargants shall have the warynyng thereof by the Comandment of the Maior according to the auncient custome of the said Boroughe or Towne.

THOMAS GAUDY
ROBERT CLARKE "

The immediate outcome of the dispute was the recognition of William Lusher as Mayor for the current year, and the election of Francis Garton for the ensuing one.

Francis Garton was a man of considerable position : he had previously been mayor in 1585 ; he possessed property in Billingshurst ; and, in April, 1588, he contributed £30 to the fund raised by the Sussex gentry for the defence of England against the Armada.

William Lusher remained a member of the corporation until 1591, when, "intending to reside at Tortington which is without the limit and proximity of the Borrough of Arundell voluntarily resigns his Burgessship and on promising never to do anything to hinder or molest the Company or again to become a Burgess is given by the Company for these considerations £18 6s. 8d. of good and lawfull money of England."

The use of the term "Company" is significant : it demonstrates the exclusive and autocratic position assumed by the corporation.

But if the corporation was zealous to maintain in its own hands the ancient rights of the Borough, it was none the less rigid in punishing offences committed by its members.

In 1587, Thomas Smythe was dismissed from his burgessship for living out of the borough and, for not paying his

rent, and, in the same year, William Burford, another member, was expelled for living by "Pyracies" and for other "misdemeanors."

The connexion of Queen Elizabeth with the borough of Arundel was destined, however, to be of a closer nature than the mere granting of a patent confirming its ancient privileges. The defeat of the Spanish Armada had been

Arraignment of the Earl followed by the arraignment of Philip Howard, Earl of Arundel, on a fresh indictment of high treason. On April 14, 1589, he was brought from the Tower to Westminster Hall, and there charged with complicity in Throgmorton's conspiracy and with having offered up prayers for the success of the Spanish invasion. To these charges he returned so resolute a denial that "most there present were of opinion he would have been acquitted":¹ but, after an hour's debate, each of the twenty-four peers, who formed his judges, declared him guilty.

Found Guilty He was conducted back to the Tower, and the whole of his property, including the town of Arundel, was forfeited to the queen, who retained it in her own hands during the remainder of her life.

His Property Forfeited to the Crown It is uncertain whether Elizabeth ever visited Arundel. In 1577 her proposed visits to Lord Montague at Cowdray, to Lord Buckhurst at Southover, near Lewes, to Lord Arundel (Henry Fitzalan) at Arundel Castle, and to Mr. Henry Goring at Burton, had been abandoned owing to the plague. While in 1583, when she contemplated going to see the eighth Earl of Northumberland at Petworth, that nobleman escaped the honour of entertaining her by pleading the state of his Countess's health and the proverbial badness of the Sussex roads, although the real cause was more probably his own disloyalty; he was closely associated with, if not implicated in, Throgmorton's conspiracy, for which he was, later in the same year, committed to the Tower, where he destroyed himself on the night of June 20, 1585.

The years immediately succeeding Throgmorton's conspiracy were likewise unfavourable for a royal visit to West

¹ MS. Life, Ch. 14, p. 56.

Sussex. The plot had failed, Throgmorton himself had been arrested, the Earls of Arundel and Northumberland, together with Lord Henry Howard, William Shelley of Michelgrove, and others, were under confinement for high treason, but two of the chief conspirators, Charles Paget and Lord Paget, had succeeded in escaping to Paris, whence they carried on a treasonable correspondence with their friends in England. The ports of Rye and of Arundel were used for the transmission of this correspondence, and the greater part of West Sussex was little better than a hotbed of

Port of
Arundel

sedition. The port of Arundel had figured prominently during the time that Throgmorton was maturing his designs against the queen. From it the Pagets passed to and from Paris, and it was admitted, in the examination taken before Lord Buckhurst, that "very suspicious-looking packs were conveyed by Simon Smyth, secretary to the Earl of Northumberland, to Christopher Haines's house in Arundel, for shipment: and that the Earl's servants were very active and in communication with John Halter." In the examination of John Halter, before Thomas Wilkes and Thomas Norton, he admitted bringing over from Dieppe to Arundel a gentleman whose name was very carefully concealed, together with his man, and that they inquired for Mr. William Shelley, went with Halter to William Davies's house at Patching, and remained about Arundel for several days. The person whose name was so carefully concealed was supposed to be Charles Paget.

1591

Elizabeth
Visits Sussex

By the summer of 1591, however, matters had so far settled down in West Sussex that the queen was enabled to pay her long deferred visit to the county. Unfortunately no continuous record of her journey exists. It is certain that she stayed at Wiston, Ashington, Cowdray, Chichester and Portsmouth, and a popular belief still lingers that she spent a night at New Place, Angmering, the residence of Sir Thomas Palmer. If this latter be a fact, it is quite likely that she passed through Arundel on her way to Chichester. Indeed, it would seem highly improbable that she would leave the county without

visiting the property which she had acquired, two years previously, by the attainder of the Earl of Arundel.¹ The corporation records, at this time, are disappointingly meagre, and shed no light on this interesting point; they consist almost entirely of entries relating to the election or

1592 dismissal of burgesses, or have reference to the

Brooks. In 1592, however, the attention of the municipal body was called to a duty which had devolved upon it since the time of the suppression of the priory of

The Bridge Calceto: this was the care of the ancient bridge over the river. That it was now much in need

of repair is evident from the will of Thomas Taylor, a

Taylor's Bequest former mayor, dated April 18, 1592, in which he bequeaths "to the Mayor and Burgesses an

annuity or rent-charge of 40s. per annum, for the repair of the Bridge, to be issueing and payable out of a Tenement with a Backside and Stable thereunto belonging, called the Crown House in Arundell."

1593 In February, 1593, Edmund Shephard, who

had been mayor on several occasions, left by will for the same purpose "a Storehouse in Arundell."

But these bequests proved insufficient. The structure, through years of neglect, had become so ruinous that no

The Bridge Rebuilt option remained but to construct a new bridge.

This was undertaken during the summer of 1593, at a cost of £55 1s. 1d., "The some of the timber comethe to xxvib.xiijs.vjd. some totall is lvlb.xiijd."

The name of the builder is preserved in an item taken from the accounts:

"Payde unto goodman Wade when we sente for him to bargan to bilde our bridge iijs. iiijd."

The cost of the reconstruction should have been entirely a corporate matter. It was for the very purpose of maintaining the bridge that the rights of pasturage accorded to the monks had been transferred to the corporation. Instead,

Appeal for Funds however, of meeting its liability the municipal body applied to the county magistrates for a rate upon the town. This the latter refused to grant, and the

¹ Cooper, S.A.C., v. 195-6.

corporation appealed for voluntary aid in the rapes of Chichester, Arundel and Bramber. A generous response resulted in a collection of £48 5s. 1½*d.* :

"The hole some that I have worked out of the towne of Arundell and out of the contry is xlvijlb. vs. ld. ob.

The charge of buildinge of Arundell Bridge comethe to a bout a hundered marks

Receved from the towne of Arundell xvijlb. xvs." (not £1 4s. 10*d.* as stated by Tierney.)¹

The rebuilding was begun in August, 1593, and was completed before the end of the year. Reference to Hollar's view of the town will furnish an idea of its general appearance.

In addition to the bridge, it would appear from the following indenture that the mayor was likewise
Repair of the
Vicarage responsible for the repair of the vicarage.

"This Indenture made the xxvijth. day of July in the xxxvijth. yeare of the Regne of o' Sovereigne Lady Elizabeth . . . Beetweene Thomas Parson of Arondell . . . Carpenter . . . and Richard Wagland nowe mayor of the saide Towne . . . Witnesseth that . . . Thomas Parson doth covenant . . . wth the saide Richard Wagland . . . that hee . . . shall & will repaire the Vicaridge house of Arondell . . . in manner & forme followinge viz : the frame that goeth crose to bee well timbred wher it needeth And to put the principall timbers in frame y^t is nowe out of fframe and make them firme & faste And to pull downe the ould stayers and shut upe that place of ye lofte. And make a newe paire of stayre neccisaire in a convenient place to searve all the Romes above in the saide house And the other Rome to bee newe timbred where it needeth to the entry. And to bee lofted over the saide Romes And to make in the hall of the saide house one stowle window wth five lyhte in the saide windowe towards the gate and a Cleare story as the rome then will give leave. And to make a Cleare story windowe wth v lighte towards the garden And to set upe an outlet at the entry as the house will give leave. And to newe frame the rooffe And make it Answerable to the bredth of the saide house with a gable hed wth a cleare story windowe wth iij lights towards the garden and to make one dore to the hall and one other dore more ther wher need shall regnize and laye the flowers of the lofte And hee to finde all maner of timber & bords that shalbee needfull to be had about the saide worke all wch worke the said Thomas is to finishe at or beefore the xxvjth day of September next cominge after the date hereof And the saide Richard

¹ Tierney, p. 718, note b.

Wagland covenannteth . . . to paye to the saide Thomas in consideration thereof eight pounds of good and lawfull mony of England in maner & forme followinge viz : iiijlb. at the beginninge of the saide worke And iiijlb. more at the end and finisshinge—And it is also Covenannted . . . beeweene the saide parties that yf the said Thomas Parson doe keepe his acount of the charges of the said worke yf that it doe come to more than viijlb. hee is to bee alowed to the value of xxlb. or soe muche as it doth come to soe that it bee not above xxlb.—In witnes . . .”

On the back of the Indenture are two receipts, one for £4 10s. and the other for £2 2s., signed by Parsons ; lower down, however, it is endorsed, “ A brooken Bargayne.”

The difficulty of understanding why the maintenance of an ecclesiastical building should devolve upon a municipal body ceases when the very close association existing between the Church and the State, at this period, is borne in mind.

Under the system established by Thomas Cromwell, and rigorously enforced by successive Tudor sovereigns, the Church in England was not only subordinated to, but became the chief instrument of expression of, the royal will. Its clergy were licensed by the Crown ; the sermons preached from its pulpits were “ tuned ” in accordance with instructions from the throne, and every means was taken to relegate its position to that of a State department. Here attention may also be directed to the terms of the arbitration of 1511, by which the mayor, burgesses and parishioners were made responsible for the maintenance of the nave, aisles, north transept and a portion of the tower of the parochial church ; it is not improbable that, on the suppression of the College, the whole of the cost of the repairs of the church and of the vicarage was placed upon

the town. The vicarage referred to stood on a spot now enclosed within the kitchen-garden of the Castle.¹

Its Site

1595

Death of
Philip
Howard

Philip Howard died during the autumn of this year. On his decease the title “ Earl of Arundel ” fell into abeyance.

¹ Tierney, p. 657.

CHAPTER XI

Apprentices—Sureties required by New-comers—Bland's Alms-house—Restoration of the Earldom—Thomas Howard, Earl Marshal—His Life and Character—Local Trades—Municipal Practices and Disputes—The Bridge again rebuilt.

“ **I** HAVE desired to have the obedience of my subjects by love, and not by compulsion.” In these words Elizabeth addressed her Parliament when, early in her reign, she devoted herself to the task of civil administration, a task the successful accomplishment of which earned for her, in after years, the title of “ Good Queen Bess.” The condition of the people, throughout the country, **Condition of the People** was deplorable. The labour market was glutted ; agriculture was being largely replaced by sheep farming, resulting in the enclosure of large tracts of common land and the eviction of smallholders. The men thus displaced became wandering beggars, or banded themselves into gangs of marauders who lived by robbery and pillage ; the gibbets were in constant requisition, and social discontent and internal disorder were rife in every county. To remedy these evils became the fixed purpose of the queen, aided by, perhaps, the most able body of advisers who ever collected round a council table. Statute after statute was passed, by means of which each town and parish was made responsible for the relief of its own infirm paupers and for the employment of its own able-bodied poor. Towards the end of her reign these statutes were consolidated in the great **1601** Poor-Law Act of 1601, which brought a great **Poor-Law Act** measure of relief to the deserving indigent, and effected a cessation of the social danger created by the “ sturdy-vagabonds ” of the time. Among these statutes one of far-reaching importance was the Act which gave

power to local authorities to bind poor children as apprentices. That it was taken advantage of at Arundel is clear from many local indentures still preserved among the corporation papers.

Apprentice-
ship

" Know all men . . . that me John Bishop of Aronndell in county Sussex Serjant do stand holden and firmly bounden unto Rich. Moth of the same county Mayor in the sum of eight pounds . . . dated twenty second day of November in the year of the reigne of our . . . Lady Elizabeth . . . forty fourth.

" The conduon of this obligacon is such yt ye above named John Bishope for ye some of foure pounds sterlinge to him in hande pd shall . . . during ye terme of six years . . . fynd and keepe Edward Barefont wth wholsom meat drainke appell and all other things meete . . . for ye sustantation . . . of ye said Edward Barefont and to keepe duringe ye said terme of six years yf ye boath do live so long . . ."

Sureties

Sureties, against becoming a charge upon the rates, were required in the case of new-comers who took up their residence in the town without the consent of the mayor and burgesses—

June 29th. 1602 " Geffry Cope of Arundell and ffrancis Gipsye of Bedehampton in the County South " is bound to Rd. Moth mayor in £10. that they " doe from time to time and at all times hereafter save and kepe harmlesse ye Burrough of Arundale . . . from being burthened, damaged hindered or charged with ye above bounden Geffry Cope or any of his children wh he hath allreadye or hereafter may have, or any other brought into ye same towne by his meanes, if it happen he or any of yem hereafter by any sicknes or casuallitye whatsoever fall into poverty . . ."

and a by-law laid the onus of providing the surety on any inhabitant who took in strangers as lodgers unless a similar permission had been secured :

Oct. 27th. 1603 Francis Collins of Arundel, carpenter, is bound in £10. because he "hath received into a Tenement of his here in the Burrough of Arundell and therein to dwell one Cambell Wilkine and his wyffe wthout the assent consent and goodwill of the above named Henry Hobbes Mayor and the rest of his brethren . . ."

Legislation had now brought home to the country the need of proper provision for the less fortunate sections of the community. As a result of the focusing of public opinion

upon this question, a stimulus was everywhere given to private benefaction. In Arundel a new alms-house was built. It owed its foundation to the generosity of George Bland, of Sundrich, in Kent. It was a brick structure, with a stone, bearing the date 1602, let into the masonry, and was erected on the south side of Maltravers Street on the site now occupied by Maltravers House and the two houses immediately adjoining. Little is known of the nature of the establishment, or of the cause or period of its dissolution. The property subsequently passed into the hands of a family named Scardefield. From them it was purchased by Bernard-Edward, twelfth Duke of Norfolk, when the house, having become ruinous, was taken down, and the present dwellings were substituted in its place. The following inscription still exists on the north wall of Sundrich Church :

“ Here lieth the body of Thomas Bland, Esq., and Mary, his last wife. He had one only son, George Bland, the founder and master of the almshouse at Arundel, in Sussex : which Thomas died, in February, 1617.” ¹

1604 Three years after the passing of her Poor-Law
 Death of Act the queen died, and James VI of Scotland
 Queen succeeded to the throne of England. Among
 Elizabeth the young nobles who collected round the court
 Thomas of the new king was Thomas, only son of Philip
 Howard Howard. To him, in 1604, the Earldoms of
 (1604-1646)
 24th Earl Arundel and Surrey were restored, together
 Restoration with the titles of such Baronies as had been
 of the possessed by his grandfather ; but the Dukedom of Norfolk
 Earldom was withheld from him, and, with the single exception of
 some of the Sussex estates, the whole of the patrimony of
 his family was given to other suitors for the royal bounty.

Much of interest has been written with reference to Thomas Howard, twenty-fourth Earl of Arundel.² Little of it, however, has any connexion with the history of the town. His life and character formed a marked contrast to that of his ill-fated father. Like him he found his religion an obstacle in the way of court favour ; but, unlike him, he

¹ Tierney, p. 672.

² *Ibid.*, Chap. xxiv.

Shall beke aduocates and
 shall beke of which beke
 was Thomas Stone Gundry
 and 1539 of which beke was the
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Shall beke aduocates and
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surmounted the difficulty by abandoning the ancient faith of his family.

It should be noted, however, that, in 1624, in conjunction with his mother, he obtained a licence for the removal of the remains of his father, which had been interred in a grave in the Chapel of the Tower, to Arundel, where they were deposited, in an iron chest, in a vault then constructed in the collegiate chapel for the family of the Howards.

1624

Remains of
Philip
Howard
interred at
Arundel

Three years previously he had been invested with the dignity of Earl Marshal for life, an office in which he gave "great satisfaction to the nobility and gentry of this realm."¹ That he was not equally popular with those whom he deemed his inferiors appears from the following anecdote:

"In 1634, the Earl of Arundel, Earl Marshal, came to Chester, and not finding the deputy-herald (the mayor), Randle Holme, in attendance, sent for him by warrant. The mayor attended with all the insignia of office, when the Earl said, 'Mr. Mayor, I sent for you to tell you your offence you have committed, in not giving your attendance as you ought, and now do you come with your authority.' The Earl then plucked the rod from the mayor's hand, and put it in the window, saying, 'I will teach you to know yourself, and attend peers of the realm. Though I care not for your observances, yet, because you want manners, I shall teach you some, and you shall further hear from me: I would have you to know, I have power to commit you, to teach you to know yourself and me, and give better attendance.' The mayor, however, made some excuses, which pacified the Earl, paid a fine, and was dismissed."²

Among his equals, however, this haughty demeanour not infrequently involved him in altercations of no enviable description. It was in the course of a debate, in the House of Peers, that Robert, Lord Spencer, referring to the early periods of our history, and the efforts made to preserve the liberties of the nation, gave utterance to some sentiments not exactly in accordance with the Earl Marshal's ideas. "My Lord," cried Arundel, "when these things you speak of were doing, your ancestors were keeping sheep." "And, when my ancestors, as you say, were keeping sheep," retorted Spencer, "yours were plotting treason." The

¹ Dugd. Bar., ii. 277. ² Extract from the Corpor. Book of Chester.

House immediately interposed ; both speakers were placed under arrest ; and Arundel, who refused to apologise, was finally committed to the Tower, where he remained until he had made his submission.

Earl Thomas was employed by the King in many offices of trust, which he continued to hold until February, 1642, when, sensible of his declining health and perceiving the cloud which was gathering over England, he embarked at Dover, in company with the queen and her daughter.

In the previous year he had presented a petition to the king praying to be restored to the ducal honours of his

1644 grandfather, but it was not till June, 1644, that
 Restoration of the Dukedom of Norfolk a patent was granted, creating him Earl of Norfolk, as the lineal descendant of Thomas Brotherton, Earl of Norfolk, a younger son of King Edward I.

1646 Arundel did not long survive this honour. He
 Death of Thomas Howard was suddenly taken ill at Padua, in September, 1646, and died there in the course of a few weeks. His body was conveyed to England, and buried in the collegiate chapel.

His Fame as a Collector and Patron of Art Thomas, Earl of Arundel, owes but a small portion of his fame to the actions of his political life. His celebrity is chiefly founded on his patronage of the arts, and on the taste, which he introduced, for the works and models of antiquity. " He was," says Walpole, " the first who professedly began to collect in this country."¹ His collection amounted, when entire, to more than four hundred busts, statues, and inscribed stones, exclusive of books, paintings, and the valuable gems, since transferred to the possession of the Duke of Marlborough. Of the inscribed marbles, now generally known as " the Arundel Marbles," only 133, out of 250, escaped destruction, during the civil wars, and of these many were mutilated and otherwise injured.

But the Earl was not merely a collector, he was the friend of learning, and the patron of genius. He was one of the first to discern, and the most forward to encourage, the

¹ *Anecdotes of Painting*, ii. 72.

rising talents of Inigo Jones. He was the friend of Cotton, of Spelman, of Camden, and of Selden; he brought Hollar from Prague, and established him in this country; Francis Junius, and Oughtred he employed in his own house, the former as librarian, the latter as mathematical tutor to his son; and there was scarce an artist of ability, or a scholar of eminence, either here or on the Continent, who had not some reason to be grateful for his liberality.

In person, the Earl is described by Walker to have been "tall of stature, and of shape and proportion rather goodly than neat. His countenance majestic and grave, his visage long, his eyes large, black, and piercing; with a hooked nose, and some warts, or moles, on his cheeks; his complexion brown; his hair thin, both on his head and beard; of a stately presence and gait, so that any man that saw him, though in never so ordinary a habit, could not but conclude him to be a great person, his garb and fashion drawing more observation than did the rich apparel of others, so that it was a common saying of the late Earl of Carlisle, "Here comes the Earl of Arundel, in his plain stuff, and trunk hose, and his beard in his teeth, that looks more like a nobleman than any of us."¹

During the lifetime of Thomas, Earl of Arundel, events of some importance took place in the town. In 1613, John Bertie, in consideration of a sum of £20, given by William Bradford, formerly a servant in the family of Philip Howard, for the use of the poor, assigned to the mayor and corporation

an annual rent of £1 10s., from his lands in
Doles Arundel, to be distributed by them, in half-yearly portions of money and bread, on April 4 and October 4 for ever; and in the ensuing year John Woolvin bequeathed "unto the poore people of . . . Arundell forever the sume of Ten shillings . . . to be payd yearly . . . out of a garden and yard nere unto the Key of Arundell . . . to the Mayor Churchwardens and overseers of the poore . . . to bee distributed . . . at their discrecon and not otherwise in and upon the feast day of St. John the Evangelist following after Evening prayer in the North Church porch of Arundell . . ."

¹ Hist. Disc., 221.

The system of apprenticeship, instituted by Queen Elizabeth, continued under the Stuarts to provide for the future of orphans and poor children, the responsibility for the carrying out of the law being transferred, however, from the mayor and corporation to the churchwardens and overseers of the poor. A large number of these indentures are to be found in the municipal chest.

Those responsible for the birth of illegitimate children were bound to make provision for them; thus, an indenture, dated April 8, 1618, binds, "Thomas Moore and John Burstie Cordwynders" in the sum of £40, to discharge the inhabitants of Arundel "of all costs and charges of the base born sonne of Allyce Houlden Spenster now remaining within the said Towne" until the child is twenty-four years of age; and in November, 1646, "Susan Searle of the south county and James Stokes, surgeon, of Arundell" enter into a bond of £100, with the mayor and burgesses, to preserve them and the inhabitants of the town from all charges, by reason that "one Joane Cobie now dwellinge in Arundell singlewoman is found to bee with childe (as shee confesseth) by the above bound James Stokes; when in case that in process of tyme when further tryall shall bee made thereof; and the law in the due and loyall prosecution thereof shall cast the said childe upon the said James Stokes (as ffether thereof) to keepe: if the town is kept from any charge... then the bond to be void... but if not it is to stand..."

The mayor and corporation acted also as the trustees of the property of minors; thus, on May 16, 1628, an acquittance is executed by "Margarett Hardinge of Arundell, spinster," acknowledging that she "have had and received on the daye of the date of these presents of Thomas Readinge Maior the whole some of Seaven pounds—which remayned in the hands of the sayd maior and Burgesses to my use in my minority."

A perusal of these old indentures throws some light on the nature of the trade of the town at this period. The description of the occupation of the parties to them including that of "weaver," "clothworker," "tanner," "butcher,"

“clothear,” “cordwynder,” “joyner,” “miller,” “yeoman,” “fisherman,” “husbandman,” “carpenter,” “marrioner,” “blacksmith,” “carrier,” “mettlesman,” “gardener,” “inhoulder,” “brooklayer,” “thatcher,” “cobler,” “sawier,” “shipewright,” and “basketmaker.”

It will be remembered that one of the principal duties of the mayor was to hold, every three weeks, a court for the recovery of small debts. It would appear that, about the year 1618, this had fallen into neglect; that a practice of feasting the whole town, at the expense of the mayor, had been introduced, and that violent disputes, among the members of the corporation, were far from uncommon. Regulations were adopted, in 1619, to remedy these abuses:

“Mem. The seconde day of October Anno 1619

It was concluded consented and Agreed upon by Thomas ffreeman of the Borrough of Arrundell Maior and the Burgesses of the said Burrough for them and their successors as following that is to say

Forasmuch as of late some controversies among them the said maior and Burgesses have growen to such height that it hath not onelie Disturbed the common peace and firme accorde which ought to bee amonge bretheren of their ranke, but also hath been some hindrance to the good governement of the aforesaid Borough Wee therefore whose Names are heerunder written Do for us and our successors consent and agree that whosoever heerafter of ye said Company shall give unto any of his bretheren Maior Burges or Burgesses of the said Borough any occasion of offence and adjudged by the more parte of them meete to be censured shall be ffyned for every such offence (so adjudged) in the some of tenn shillings to bee levied in manner following (that is to say) the brookwarden for the tyme being shall demande the sume of the partie or parties so ffyned, and hee or they refusing to pay the same shall have his catle impounded yf any bee in the said brookes, or if hee, or they have not catle in the brookes that thn they shall not putt in them untill the fyne of Ten shillings bee payed, to the Brookwarden, by him to bee employed on the necessaire reparations of the matter, and needfull somes to bee gyven up in his accounts yearlie.

And fforasmuch as the said Thomas Freeman Maior and the Burgesses of the said Borough have agreed consented and thought it meete to avoid the great trouble and unnecessarye Chardges heerfore tontenemed (?) upon the Maior of the said Bourouge by

ffeastinge the whole Towne, and have thought it meete rather that the Maior for the tyme beeinge shall orderly keep his Courtes everie three weekes haveing no reasonable excuse to the contrarie and make a dynner to all his brethren the Burgesses, the Stewarde, and the officers that gyve their attendance at every Courte by him to be houlden wthin his year, And therefore wee whose names are heerunder written doe for us, and our Burgesses Consent and Agree that the Maior of Arrundell, and his successors shall from hencefoorth orderly every three weekes (not haveing a reasonable excuse) keep his Courtes And at his owne chardge shall provyde and make a Dynner at everie Courte by him so houlden wthin his year, to his brethren ye Burgesses the Stewarde and the officers that shall attende at the said Courte And further that yf any Maior of the said Boroughe shall be censured heerafter by the succeeding Maior and the more parte of the Burgesses then beeinge, for violatinge this Decree then hee shall pay for everie tyme of breakinge this Decree Twenty shillings for benefitt of the Burgesses brookes And to bee levyed according to the decree afore Made this presente day."

And in 1622 the assistance of the justices was obtained against persons whose conduct made them a nuisance to the town :

"To the Mayr and Constables of the Burroughe of Arrundell gretinge
fforasmuch as wee are Informed by the Mayre and other the Burgesses of the syd Burrow that Jo. Stapler Richard Stapler and Richard Sty of the syd Burroughe are psons of very lewd and bad behaviour Comon drunkards fighters raylers and abusers of their neighbours These are therefore in his Mts. name Strictly to charge and comande yo and every of yo that psently uppon the receipt herof yo doe apphende the psons above named and then bringe before us or some Justice of the peace of the syd county to find Sufficient Suretys for their apparance at the next quarter Sessions of the peace . . ."

Another of the mayor's duties was the upkeep of the bridge. That the latter was not the only means of crossing the river is clear from an account of the receipts from "the ffery." These totalled, for the first three weeks of September, 1609, £4 7s. 9d. Where exactly this ferry was situated is not known: possibly it was at some little distance further down the river. Added to the items totalling this £4 7s. 9d. is "Item Rd. out of

the purse in the chest, £3 6s. 8d." and on the back of the document the following sum :

“ 7. 19. 5. Rd.
7. 19. 1. Laid out.

Rmy. 0. 0. 4. „ „

The money “laid out” was no doubt on repairs to the bridge. These repairs were a constant source of expense to the corporation and figure regularly in the mayor’s accounts at this period.

By 1641, however, any further attempt to
 1641 repair the bridge, erected by “goodman Wade”
 in 1593, had to be abandoned. The structure had become
 so “utarily decayed and falen downe” that it
 Decay of the Bridge was necessary to rebuild it. In order to provide
 the funds, the corporation again endeavoured to obtain
 the sanction of the justices of the peace of the county to
 a rate upon the inhabitants of the borough. The rate
 proposed was 5d. in the pound, to be levied upon house
 Application for a Rate property and upon land. A valuation was
 drawn up and the rate was expected to realize
 £272 3s. On completion of the valuation two persons,
 named Whavyr and Bell, with one of the serjeants-at-mace,
 were dispatched on a mission to the justices. That the
 envoys had an eye to their own comfort appears from the
 following bill :

“ The Charges for Mr. Whavyr And Mr. Bell A bout the bridg									
Item of Moanday	The vij	of Jonary	for our diners	iiijs.	vd.				
And for wine	And suger	.	.	.	.	ijs.	iiid.		
And for our supers	.	.	.	.	.	ijs.	vjd.		
Item Tusdays	diner	.	.	.	.	iiijs.	iijd.		
And for wine	.	.	.	.	.	.	xviijjd.		
And for super	.	.	.	.	.	ijs.	viijd.		

Item the first of Aprill	I went to Chichister	to the Justices	about			
the bridg	A gallane of wine	And A pound of suger	iiijs.	viijd.		
And for my diner	And the sargents	.	.	.	ijs.	

“Horsame,” “Stopoum,” “Stenying,” and “Chichester” were visited, but all to no purpose, the justices steadily refusing their assent to the suggested rate; and the corporation, again thrown upon their own resources, resolved to appeal once more to the whole neighbourhood for a subscription. A circular was forthwith sent out. The copy received by Lyminster is still preserved in the churchwarden’s book of that parish. After mentioning the refusal of the justices to confirm the rate which the corporation had prepared, “for the re-edifying of Arundell bridge,” they proceed to state their own efforts to meet the expenses of the work. They have contributed, “to the utmost of their abilities, divers giving £10, £8, £6, £5, a man: yet, the charge amounting unto £260, besides the hundred loads of timber given by the Earl of Arundell,” they feel that they are unable to raise it amongst themselves, and are, therefore, constrained to apply for aid to the liberality of their neighbours. The work, they add, is already “in great forwardness”: its completion will confer a general benefit on the adjacent country; and it is impossible, therefore, to doubt “but that every well-minded person will be ready to extend his free and liberal contribution towards it.” This appeal produced, at Lyminster, the sum of £2 os. 6d., the adjoining parishes, probably, subscribing in similar proportion. The amount voluntarily raised in Arundel reached £127 14s. 4d., of which Captain James Morris, the mayor, gave £8, and “Will Benet a fat calf, a fat lamb, a fat shepe” and “1 barrl strong Bere.” On February 10, in the preceding year (1642), Nethanial Fenne executed an agreement with the corporation to secure to them the annuity of 40s., left to them by Thomas Taylor, for the repairs of the bridge: the annuity being charged on the Crown House. Fenne had succeeded to the property as grandson of Thomas Taylor; and he entered into the agreement in order to rectify an omission in his grandfather’s will, in which no provision had been made by which the 40s., if unpaid, could be recovered, “and also for the love and care he beareth to the Inhabitants of the said Borrowe

Faint handwritten notes at the bottom of the page, likely bleed-through from the reverse side.

Page 8
 1. $V = \frac{1}{2} \pi r^2 h$
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 9. $V = \frac{1}{2} \pi r^2 h$
 10. $V = \frac{1}{2} \pi r^2 h$

NEW RESIDENT'S BOND OF INDEMNIFICATION, 1614.

[illegible]
$$\int_{\partial B_1} \nabla u \cdot \nu = 0$$

INDENTURE OF MEMBERS TO SERVE IN PARLIAMENT, 1602.

and to the entente to better the estate towards so charitable a Worke in the perfectinge of the said Annuitie." On the same day the corporation signed an agreement with "Thomas Greenfield of Aroundell, yeoman." This agreement, after reciting the gift of Thomas Taylor and the indenture entered into with "Nethanial Fenne and Marie his daughter," proceeds, "and forasmuch as the said Bridge of the said Burrough of Aroundell was now uttarily decayed falen downe And inforced to be new builte the charge thereof being very great And lying heavy upon the Inhabytants. Now this Indenture witnesseth that the said" (mayor and burgesses) "with the consent and at the request of the Commoners of the said Burrough. And for the Consideration of twenty Markes of lawfull English monie to them in hand payde by the said Thomas Greenfield towards the new buildinge of the said Bridge over and above his own tax for the same have granted" the annuity of 40s. to him for twenty-one years.

Notwithstanding the "great forwardness," spoken of in the circular of 1643, the new bridge, which like its predecessors, was of timber, was not completed until 1646. The cause of this delay will be accounted for presently.

But if the renewal of the bridge was a matter of importance to the town and neighbourhood, the maintenance of the honour and dignity of the mayoral office was of no small moment to the corporation. In order to ensure this it was resolved on October 25, 1635—

1635

**Mayoral
Dignity**

"That the mayor then to be elected should have and receive thirty pounds of the rents and profitts of the Burgis brookes for and towards his housekeeping and necessary hospitalyty in his yeares. And that after his yeare ended the succeeding mayor and mayors . . . shall have . . . fforty pounds. . . And if it shall be thought by the Burgesses or the moior parte of them that any mayor hereafter doe not expend the . . . fforty pounds only uppon extraordinary expenses of housekeeping and hospitalyty and for the only creddit of the place and office but doe spend and employ it otherwise to his owne pryvate benefitt then it shall be lawfull for the mayor next to be elected together with the Burgesses to calle him to account and finding that he hath otherwise disposed of the said 40 lb. . . to impose such ffine . . . as they or the more parte of them shall find a just recompense and to stay so much money

in their hands as the said fine shall amount to out of the said forty pounds."

The money voted was taken out of the corporate purse—"the green and yellow bags"—kept "in the chest."

Nature of the Corporation About this period the close nature of the corporation becomes increasingly manifest: the terms "our society," and "our company," appearing regularly in the records of admission of new members. This closeness was intensified, in 1636, when a regulation was passed prohibiting any member from leasing any portion of his share of the brooks to anyone not belonging to the **1637** council: and, in 1637, newly elected members were required to sign the following "Articles of Election":

- Articles of Election**
- "1. You shall observe to keepe the secrets of your Brethren.
 2. You shall performe all promises and payments that doe beelonge to the maior or any of the rest of your Brethren or any that the Rest of your Brethren shall pay unto others that shall bee Justlie demanded of you.
 3. You shall yield all due Reverence and Respect unto the maior and the Senyor Burgisis at all times and in all placis.
 4. You shall put into the Brookes so many Catell as your other Brethren doe and you shall pay all the dues that your other Brethren doeth pay.
 5. You shall put into the said Brookes no other Catell but your owne and that Leases that you please not to Laye you shall let at Reasonable Rates and profits to some of the Rest of your Brethren and whatsoever other articles that is not hear Remembered but is moar at Large in the booke specified you shall observe and keepe."

But a matter, far outweighing in importance the framing of regulations for the conduct of its members, was about to claim the attention of the corporation.

CHAPTER XII

Election of John Downes—The Civil War opens—The Castle captured by the Parliamentary Forces—Retaken by Lord Hopton—Prolonged Siege—Surrenders to Waller.

THE first year of the Long Parliament (1640) was drawing to a close. By the death of Henry Garton, a vacancy, to one of the seats for the borough, had occurred; and the applications of the new candidates, Harman and Downes, had been received by the mayor.

Downes's letter of application is still preserved among the corporation papers. It runs as follows:

"Mr. Mayor and the rest of the Burgesses of Arrundell. Whereas I stand in election to be the Burgess for Arrundell in the place of Mr. Garton I doe hereby promise and declare that if you shall set your good opinions of me so far as to receive me your Burgess I will be your servante but at my owne charges and will not demand any Parlimt allowances from you as I am an honest man and as I am a gentleman And soe leave my selfe to your good affecons and rest

Your servante
JOHN DOWNES

Inner Temple 29th. of
Obr. 1641 "

1641 The election took place on, or about, November 12, John Downes being returned.¹ "He was a Londoner of mean birth," but destined to rise to positions of considerable importance on the parliamentary side, and, eight years later, to earn the unenviable notoriety of being one of the fifty-nine signatories to the death warrant of the king.

At the election in 1641 bribery was alleged to have taken

¹ Stenning, *S.A.C.*, xxxiii. 87.

place to such an extent that a committee of the House of Commons was appointed to inquire into the matter, and steps were taken to prosecute the mayor as presiding officer. What was the result of the committee's findings is, however, unknown.¹

1641 On August 22, 1642, Charles I raised the Royal Standard at Nottingham, and the Civil War opened.
Aug. 22, The Civil War Opens

Sir William Waller The command of the parliamentary forces, south of the Thames, was placed in the hands of Sir William Waller, who, having captured Winchester, invaded Sussex with a large army. At Haywards Heath the royalists were defeated; and Waller with Colonel Browne, his second in command, marched on Chichester, where they arrived on December 21. "In their passage thither," says a writer of the time, quoted by Blaauw,² "they by the way seized and took in Arundell Castle in Sussex, some six miles from Chichester, whither, being suddenly and unexpectedly come, and finding the Castle gate shut fast, they set a petard to the gate and blew it open, and so most resolutely entered the Castle, surprising all therein, among whom they took one Sir Richard Leachford, and his son, a great papist, and one Captain Goulding, raising men and armies in Sussex, to assist the Malignants in Chichester, which said prisoners, with one or two more, were by them sent up to the Parliament, who commanded them to prison."

Another writer of that date says: "... since that " (the taking of Winchester) "a hundred of our men going against Arnall town and Castle have had good success, 36 of those 100 tooke the Castle (a thing, if well manned, impregnable), and in it a hundred of the King's horse, men, and armes, also the magazine of the papists of that country, with much money, plate and victuals, and all with the losse of one man."

Referring to this event, Blaauw says: "This unexpected capture of Arundel has been little noticed by our local historians; Dallaway confuses the captures of 1642 and

¹ Horsfield.

² Blaauw, *S.A.C.*, v. 39.

1643, and reverses the true order of events, stating that Waller marched to the siege of Arundel "immediately after the surrender of Chichester,"¹ though Clarendon expressly says that Waller "made a quick march through Wiltshire after his taking of Chichester;"² and Tierney says, "it seems in the first instance to have fallen into the hands of the parliamentary forces, but of the time when they obtained it or of the period during which they continued to hold it, no intelligence has been preserved."³ Clarendon says, speaking of the fact, that prior to this the Castle was yet in the hands of the royalists, that it had "a garrison, though not numerous or well provided, as being without apprehension of an enemy."

The most probable explanation is that Waller, on his way to Chichester, detached a surprise party of a hundred men from his force.⁴ The absence of opposition on the part of the town and the ease with which the capture was carried out would suggest collusion with the burgesses and account for the smallness of the party sent. It will be remembered that Thomas, Earl of Arundel, had retired to the Continent during the previous year.

1643

Arundel remained in the hands of the parliamentary forces until December 9, 1643, when it was recaptured for the king by Lord Hopton. This feat was but a part of a great plan of campaign by which the whole of Sussex was to be regained, and an advance, from the south-west, on London carried out concurrently with a descent by Newcastle from the north and by the king himself from Oxford. As a combined movement it proved a complete failure; Newcastle was crushed, at Marston Moor, by Cromwell in July, the king was defeated by Essex at Newbury in October, and Hopton, owing to the impassable state of the Sussex roads, was unable to move until the beginning of December, when, taking advantage of a sharp frost, he advanced into the county. "The exceeding hard frost," says Clarendon, "made his march more easy, through those deep and dirty

¹ Dall.

² Clarendon.

³ Tierney, p. 59.

⁴ Thomas-Stanford, *Sussex in the Civil War*, p. 50.

ways, than better weather would have done, and he came to Arundel before there was any imagination that he had that place in prospect." Sir Edward Ford, who commanded a regiment of horse in Hopton's army, had persistently urged the capture of Arundel, "which, standing near the sea, would yield great advantage to the king's service, and keep that rich corner of the county at his Majesty's devotion."¹

Waller, relying on the mud of Sussex as a protection against invasion, was absent in London, negotiating with the Parliament for the strengthening and refitting of his army, which he had withdrawn to Farnham.

Hopton had concentrated his forces at Petersfield. Thence he advanced through Harting and Marden, and over the Downs to Arundel. On his way he gained possession of Lord Lumley's house at Stanstead, and also of Cowdray House and Petworth. The advance guard of his force, under Sir Edward Ford and Sir Edward Bishop, arrived before Arundel on December 6. They immediately took the town and laid siege to the Castle. "The place," says Clarendon, "in its situation was very strong, and though the fortifications were not regular but of the old fashion, yet the walls were very strong and the graff broad and deep; and though the garrison were not numerous enough to have defended all the large circuit against a powerful army, yet it was strong enough in all respects to have defied all assaults, and might, with putting themselves to any trouble, have been very secure against all the attempts of those without. But the provisions of victual or ammunition were not sufficient to have endured any long restraint, and the officer who commanded it had not been accustomed to the prospect of an enemy."² "Meanwhile great alarm was felt by the Parliamentarians throughout Sussex. On December 7 the Committee at Lewes informed the House of the capture of the town of Arundel by Lord Hopton and of the danger in which the Castle stood. Parliament immediately nominated John Baker of Mayfield as High Sheriff of

¹ *S.A.C.*, viii. 3. See also Thomas-Stanford, p. 71.

² Clarendon, viii. 6.

Sussex, and directed the gentlemen of the four associated counties to withdraw to consider the question of sending relief to Arundel Castle and to provide for the security of that county in the best way they could.”¹

The following account of the efforts made by the relief force is taken from the manuscript of an unnamed historian of the time, whom Thomas-Stanford concludes to have been Colonel Edward Apsley of Warminghurst, M.P. for Steyning :

“ Wednesday night, December 6th, Colonel Ford and Sir Edward Bishop came to Arundel. About 5 of the clock in the morning Mr. Knight came to my house and brought the first alarm, whereupon I gave the first alarm to this part of the Country. By time it was day, Mr. Stanes came to me ; finding I had no strength to rely on, for the company I had formerly made use of was put into garrison at Cowdray House, he persuaded me to retire myself either to London or eastward. Upon his reasonable persuasions, as I was going to give order to have my horses made ready, I saw some twenty or thirty men in my hall, standing with their arms as ready for service. Whereupon, turning to Mr. Stanes, I told him that it should never be said that I should abandon the country so long as any would stand to me, and wished him to move me no farther, for I was resolved that . . . hap what hap could. Whereupon I gave order to Captain Leighton to exercise those men he had. As I was at dinner there came a report of 2,000 of the enemy coming within two miles, viz., to Chiltington Common. I sent out to the men to bid them look to their watches, but before I had dined the report was contradicted. There were spies sent out, whereof one, Mr. Knight’s man, went into the town, and there lost me a man, but very honestly returned, and brought certain intelligence of the enemy.

“ So soon as it was dark, I took horse and rode to Horsham, and sending for Mr. Shephard and some other gentlemen of the town, I inquired what strength they could make. They told me they thought 200. We resolved that they should come to my house the next day. I took horse again and with the help of Sir Thomas Siffeld’s guide, got to Bramber by sunrise. There and at Shoreham I found Captain Temple, Captain Carleton, Captain Surrenden, and Captain Fuller ; before night Colonel Morley came to us also from Lewes. Captain Morley had sent him that had been employed as a spy with a letter to me to have a rendezvous appointed, for there were 200 foot and 120 horse assembled, and to let me know that Sir E. Bishop had driven away all my sheep. It was agreed

¹ Thomas-Stanford, p. 74. *S.A.C.*, v. 57-9.

the rendezvous to be at Cobden Hill by 12 of the clock. Next day between one and two Colonel Morley, Captain Temple and myself came to them with 200 dragoons, under Captain Carleton and Captain Surrenden. Captain Temple took order to hasten the works at Bramber and Shoreham by the pioners, and Captain Fuller and his company to man them.

"Upon the information of the spy, Colonel Morley, Captain Temple and the rest of the council of war resolved to fall into Arundel, or if we were hindered of that by the breaking of the bridge by the enemy, to draw a breast-work at the head of the causeway, and so block them up at least on that side. Hereupon we drew the forces into several bodies. Now my Lord Hopton came into the town since my spy's coming out. Upon this resolution, we marched in our several divisions for Parham Park, and intended for Arundel we took the word 'God with us.'

"The day was misty, especially on those high hills ; so was the night ; only now and then upon a gale of wind the mist brake up. In our march, false intelligence was given that the enemy had laid Houghton Bridge ; it was then thought not fit to engage the body in those narrow ways from Parham Ash to Arundel in the night, till we knew whether the bridge was laid or no, doubting that the enemy had notice of our advance, and so might distress us in the way. Whereupon by the advice of the council of war, the forlorn hope was turned into a party, and sent, commanded by Lieutenant Burton, to see whether the bridge was laid or no. Before the party could return to the body, the light of the moon (which have much assisted us in the bottoms where the mist was not so thick, and the ways very narrow) would be so far spent, that it was not possible for the foot to march to Arundel, whereupon they were sent to quarter at Parham, with whom I was going till stayed by Colonel Morley. The horse was kept upon the hill to get intelligence of the enemy, and to do service upon their quarters, if we could find them out.

"Colonel Morley and myself with some others rode out upon the hills to discover the country and to see what became of the party sent out. In our absence the horsemen unbitted their horses, and turned them into a load of hay which they had taken from the cows. In our return there was one musket shot off, and some dags " (pistols) " that sparkled fire much like a match lighted with gunpowder. This was a party of the enemy upon our body, unsuspected by us. Colonel Morley was told it was not well to lie so openly ; he said he would close them ; one replied that they thought if he did but speak to them, it was enough. He rode towards them, and I rode on softly upon the way, till meeting this party of the enemy coming up from our own body, out of any road, taking it to be a party of our own, for the mist fell thick that I could not discern my horse length. I rode to them ; they said, ' who are you ? '



THE DRAWBRIDGE.



Photo by]

THE KEEP, PRESENT DAY.

[Frith.

I said, 'a friend'; they said, 'who are you for?' I replied, 'what! do you not know me?' and gave them the word, 'God with us.' They asked me again, 'who are you for?' I returned the word again angrily, doubting that they might not know the word. With that, one of them caught hold of my horse, another of my sword, and asked, 'who I was for?' I said, 'for king and parliament'; and laying my hand upon my sword, they pulled and brake it. A third came up and caught hold of my rocket coat, and threw it over my head, when divers with their drawn swords rode about me, pulling by my coat that was about my head. I told the properest man that I could spy (this man I understood to be called Mr. Montague) that I was his prisoner. He replied that none should wrong me, but before they would let go my horse, caused me presently to alight. They took my coat and gloves, and told me they would search my pockets. I replied they should not need, for there was money for them, and so gave the silver that I had in that pocket, some to one, some to another, wherefore the one would not let the other rifle me; whereby I had the opportunity to convey away Sir William Waller's letters, and the Committee's, which I had then about me, and left a little money for myself.

"Mr. Montague gat upon my horse, and told me that I should get upon his. This was a poor tired jade. I was long ere I got up. They held their pistols to me, and said, 'shoot him, shoot him.' I pulling the saddle on my side, turned my breast to their pistols, and said, 'Why! shoot me then! for I cannot get up.' Then said one, 'Why do you not alight and help him up?' With that one alighted and helped me up. This I did delay, expecting relief. They asked how strong we were. I told them between 300 and 400. This was true but the rest I concealed, namely, that our men were unbitted and out of order, and unable to make any resistance. The fear of their number, the not knowing their disorder, caused the enemy to haste away almost in like disorder."

"What happened to the writer of this interesting story does not appear, as his manuscript ends here. Probably he was taken to Arundel as a prisoner. Meantime the Castle had fallen. On the third day after Lord Hopton's arrival he sent in a message threatening severe measures in case he was driven to assault it, and the officer in command, Captain Capcot, seeing that further resistance was hopeless, surrendered. Colonel Morley, having found it impossible to relieve Arundel or to hold Houghton Bridge, fell back on the Adur."¹

¹ Thomas-Stanford, pp. 74-78.

Hopton's success materially assisted Waller in his negotiations with the Parliament for refitting his army. Wagons of ammunition and leather pieces of ordnance were at once dispatched from London to Farnham, together with 500 men from the Windsor garrison. Waller was now ready to move. Having successfully attacked Alton,

1643
Dec. 17
Waller
Advances
from
Farnham

where he took several hundred prisoners, he marched out of Farnham on the afternoon of Sunday, December 17, to meet the victorious Royalists in Sussex. The frost was still holding and he was thus enabled to move with extraordinary rapidity. Occupying Haslemere on Sunday night, he "wheeled about" towards Midhurst on Monday morning in the hope of surprising the garrison at Cowdray, but the Royalists were "too nimble" for him, and escaped to Arundel. On Tuesday, says a letter written at the time by one of his officers, "he sent a party of horse to Petworth, having thought to surprise the enemy there, but they fled before our success, Hopton and the great ones to Winchester and the rest to Arundel with bag and baggage." ¹

Dec. 19
Reaches
Arundel

But these operations, by the way, caused little check to the rapidity of his advance. He pushed on to Arundel the same evening, and his army lay that night "on a heath within a mile of the town." ²

Sir Ed. Ford

Hopton had left Sir Edward Ford in command of the garrison which consisted of more than 200 men and "many good officers, who desired or were very willing to stay there, as a place very favourable for the levies of men which they all intended, and it may be that the more remained there out of the weariness and fatigue of their late marches, and that they might spend the rest of the winter with better accommodation. The Governor was a man of honesty and courage, but unacquainted with that affair, having no other experience of war than what he had learned since these troubles. The officers were many without command; many whereof were of natures not easy to be governed, nor like to conform themselves to such strict rules as the con-

¹ *Mercurius Civicus*, 21st. Dec. 1643. ² *Waller's Dispatches*.

dition of the place required, or to use that industry as the exigence they were like to be in made necessary.”¹ “Doubtless,” as Thomas-Stanford says, “the garrison was much increased by the refugees driven in from Cowdray and other positions on the line of Waller’s march.” According to the same writer, “Hopton had caused various entrenchments to be made for the defence of the town.” It seems, however, more probable that all he did was to deepen the old inner fosse of the ancient Britons, and, possibly, to construct a wide ditch from the north-west angle of the fosse down to the marsh ground in Park Valley.² To capture these entrenchments was Waller’s first care.

“The next morning,” says he, in a letter to the House of Lords, without date, but read in the House, December 22, 1643, “after we had taken a view, and found out a place where we might flank their line with our ordnance, we fell upon the north side of the workes; and we did so scower a weedy hill in the parke, on the west side of the pond, with our pieces, that we made it too hot for them, which gave such courage to our men that with the same breath they assaulted an intrenchment newly cast up, and which was very strong. It was drawn from the town gate down to the aforesaid pond near the hill” (mill). “At the same time we fell on a narrow passage near the mill, where they had likewise a double work, and very strong: but in a short time, by the good hand of God, we forced both, and entered the town with our horse and foote, notwithstanding a brave salley made by their horse. We beat them into the Castle, and entered the first gate with them: the second they made good and barricadoed, and they are there welcome to stay. I am resolved to block them up, for I know they are in a necessitous condition. God hath been pleased to blesse me hitherto with a gracious successe, his great and holy name be prayed for it: but truely, my lords, I am very weak in foote, and my horse so hackneyed out they are ready to lye down under us. I expect Colonel Behre” (Bayne) “and Colonel Morley here this day.”

¹ Clarendon, B. viii. 8.

² See p. 19.

The first-named officer was bringing up a cavalry reinforcement, 600 strong, sent to Waller by the Earl of Essex.

**Colonel
Morley**

On Thursday, December 21, Colonel Morley arrived with his regiment. With him came the Rev. John Coulton, a chaplain in the Parliamentary army, who, in a letter to his "most dear loving and kind friend and brother in Jesus Christ" Mr. Samuel Jeake of Rye, states that Sir William "took Arundel town with 140 prisoners to boot, whereof 60 bear arms for the Parliament, the rest are sent to London," and adds the message, "Tell Widow Dod I eat and drink with both her brothers William and John, they are very well; only my uncle Pye wants his feather bed to sleep on."

During the attack upon the town, according to Thomas-Stanford, "certain townsmen having taken refuge in the Church of St. Nicholas, preparations were made to smoke them out, whereupon they surrendered at discretion."

**Dec. 21
Investment
of the Castle**

Reinforced by the troops under Colonel Morley, Waller closely invested the Castle on Thursday, December 21.

The following account of the siege is taken from the description of it, "As it was delivered by a messenger from Sir W. Waller to the Rt. Honourable William Lenthall, Speaker to the House of Commons and by him appointed to be forthwith printed and published . . . Printed by John Field, Jan. 8, 1644."

Having recounted the events from December 17 to the arrival of Colonel Morley on the 21st, the account proceeds:

**Waller's
Narrative**

"The same day, Colonel Morley came thither with a regiment of Kentish forces, and Major Bodley did a notable exploit, he perceiving divers in the castle looke forth in a balcone, took unto himself and twelve others their musquets unto a private place of advantage, from whence they altogether discharged into the said balcone, and slew and wounded divers of the enemy. The same night, two sacres were planted in the steeple, with divers musquetiers, who, on Friday morning betimes, played hotly on the enemy, which appeared on the top of the castle. The same day, divers were taken in their intended escape from the castle: also Sir Miles Livesey brought a regiment of horse, and Sir William Springate a regiment of foot from Kent,

to the aide of Sir William : also the same day the course of a pond was turned, and more fully perfected on Saturday, the draining whereof emptied the wels of water within the castle, so that now the enemy began to be distress with thirst ; the same day divers of them fled from the castle, and were taken prisoners ; whereupon a stronger guard was kept about the said castle.

“ On Sunday divers more fled from the castle, and many horses were turned forth, of which our souldiers made a good purchase, only one of them was shot by the enemy, whose bloody crueltie and inhumane malice did mightily appear against us, in that they took him and hewed him all to peeces, which doubtlesse they would have done to every one of us, had we been likewise in their power. The same day, Colonell Hads and Colonell Dixie approached towards us with two regiments out of Kent, for the further aid of Sir William Waller, and also divers regiments out of Sussex. On Monday, the 25th of December, the enemy made shew of a salley, and about thirty of them appeared unto us from the castle yard ; whereupon the drums did beat and the trumpets sound, and all our men were presently gathered together in a fit posture to charge the enemy, who presently took themselves to their heels, as the best remedy to prevent danger, and so manfully retreated.

“ On Tuesday, we planted ordnance in a new place against the Castle, which made the enemy that they durst not peep over the walls to shoot us, as they had wont to do. On Wednesday, divers of the enemies having forgot the former danger, came forth into the belcone again, whereupon we placed divers musquetiers in the ruines of an old chappel, from whence we did good execution upon them : The same day, Sir Ralph Hopton came to Petersfield, and quartered his forces thereabouts, and some of the enemies fled out of the Castle, and escaped by the river in a boat made of a raw oxehide. On Thursday, more of the enemies were taken escaping out of the Castle, and that afternoon, the enemy hung out a white flag, pretending a parley, and calling to some of our men delivered them letters, directed to our Generall, and Colonel Marlow, in which they desired sack, tobacco, cards, and dice, to be sent unto them, to make merry this idle time, promising to return us for them beef and mutton, but the truth is, they wanted bread and water, and that night did put divers live oxen over the walls of the Castle for want of fodder : The same day a partie of his Excellencies horse incountred with a partie of Sir Ralph Hopton's horse neer Petersfield, and took prisoners two quarter-masters, one serjeant, and two common souldiers. On Friday, Hopton's army moved towards us as far as Mardin and Wesdin, and we brought our ammunition that was at Midhurst to Arundel. On Saturday morning, divers fled forth of the Castle unto us, amongst whom was one serjeant, who signified the great want of provision, having nothing but powdred beef, and a few live beeves left them.”

The narrative passes lightly over the events of the next four days, merely stating that—

“The most materiall passages until Thursday following was the enemies treating with too haughty requests, for men in their condition, and the daily running away of the enemy from the Castle unto us, notwithstanding Sir William had made it death by proclamation to those that came forth.”

And yet it was the events of Sunday, December 31, which

Dec. 31

**Hopton's
Effort to
Raise the
Siege**

sealed the fate of the garrison. On that day Hopton made a final effort to relieve the Castle. According to a passage in one of the official weekly journals of the time, he,

“with such strength as he could make, advanced toward Arundell: his number was not above 2000 horse, and 1500 foot. Sir W. Waller drew out to meet him (leaving 1500 in the town to secure the Castle), and they met three miles off Arundell; they faced, and some shot was interchanged; about three or four men were lost on both sides; and so gently Sir R. Hopton retreated, and courteously turned faces about.”¹

With Hopton's retreat the last hope of the garrison vanished. Its surrender was now inevitable and is thus narrated by Waller's messenger:

Falls

“On Friday the 5 of January, 1644, the enemy began to feel the fruits of their deserts, being extremely pinched with famine, and thereupon sent a message to our Major-Generall of the West, the generous spirited Sir William Waller, with more humble expressions than formerly: desiring a treaty by means of three persons from either party; and that the Lady Bishop, with her daughters and waiting Gentlewomen, might have liberty to come forth and refresh themselves. To all which Sir William agreed, and invited the said Lady and Gentlewomen, together with Colonell Bamfield, Major Bovil, and a Captaine, being the persons sent from the Castle, to dine with him, who had all noble respect and good entertainment: Persons on our part, sent to the Castle to treat, were Colonell Wems, Major Anderson, and a Kentish Captain. At this treaty there was no full agreement made between them, in regard the enemy did not fully condescend to Sir William's demands, and so the persons on either side were returned, but the Gentlewomen continued with Sir William, who feasted and entertained them that night; also that afternoone, the Lady Goring and her daughter came to visite the Lady Bishop and her daughters, one of them

¹ “The Scottish Dove, bringing intelligence from the army.” Tierney, p. 68, note a.

being married to the Lady Goring's onely son, he being in the Castle ; which visite gave a speedy accomplishment to our designe : For Mistresse Goring, after some conference with her mother-in-lawe, returned to her husband in the Castle, and, shortly after, the enemy sent a drum, with Colonell Rawlins and Major Mullins to treat for a finall agreement ; upon which treaty they condescended to Sir William. The substance of which agreement was, that all the enemies should be surrendered prisoners, together with the Castle ; all their armes, ammunition, treasure, or whatsoever they possessed, into the custody and disposing of Sir William, by nine of the clock on Saturday morning, being the 6th of this instant. For assurance whereof, Colonell Rawlins and Major Mullins ingaged themselves, and also promised that Colonell Edward Foard and Sir Edward Bishop should immediately come forth and ingage themselves to Sir William also : To which purpose the said Drum was sent back, and after midnight returned onely with a letter, in which were some simple demands ; hereupon Sir William trebled his guard upon the Castle, lest any escape should be made, and returned the Drum, and demanding them to come forthwith, or else he would dissolve the treaty, and proceed against them : Whereupon, Sir Edward Bishop and Colonell Foard came, according to agreement, to Sir William, about two o'clock in the morning. Thus God brought about this great work without bloodshed, and Sir William Waller is possessed with the said town and castle of Arundell, with about 100 officers and commanders, the chief are Sir Edward Bishop, Colonell Bamfield, and Colonell Foard, with one Doctor Shellingsworth, besides about 2000 armes, with ammunition and good store of riches, to incourage our valiant souldiers in their further service ; meanwhile, Sir Ralph Hopton has spent his time frivolously against Warbleton House, betwixt Winchester and Portsmouth, where wee leave him till divine justice findes him, and give the whole glory of our successe to God. The taking of this town and castle hath been of excellent consequence to this city of LONDON, as will shortly appear to be made manifest."

Another, and very similar, account of the siege is supplied in a letter from one, Daniel Border, " to a Gentleman dwelling in Mugwell Street, and by him caused to be printed for the satisfaction of such as desire to be truly informed."

In it, details are given of a plot to murder Waller :

" Yet in this place I cannot omit to acquaint you of a perfidious rascal, that for hire, or some other wicked end, would have killed our noble general ; but it pleased God that his musket went not off, so that his wicked designe was prevented, and himself deservedly hanged."

In the same account reference is made to the capture of

"an arch spie" who "was condemned to be hanged upon the bridge in the view of the castle."

The writer thus alludes to the condition of the garrison at the time of the surrender :

"It was my chance to be at Arundell at the very instant when the castle was yielded, and saw the prisoners march out, but I never saw so many weake and feeble creatures together in my life, for almost all the common soldiers were half starved, and many of them hardly able to set one foot before another."

The exhausted state of the garrison is corroborated in the letter of the Rev. John Coulton, already referred to. In it he mentions among the prisoners "Coll. Fford, Sir Edw. Bishop, with theire starved ladies . . ." ¹

Jan. 6, 1644 Waller's own description of the capitulation is contained in a letter from him to the Earl of Essex, dated January 6, 1644. It runs as follows :

**The Castle
Surrendered**

"MY LORD,—

On Thursday the enemy sent a drummer to me, with a letter signifying their willingness to surrender the Castle, if they might have honourable conditions. I returned answer, that, when I first possessed myself of the town, I summoned them in the Castle to yield upon fair quarter : but they were pleased to refuse either to give or take quarter. I now took them at their word, and bid them yield to mercy. That night I heard no more of them ; but the next morning the drummer came to me again with another letter, wherein they disavowed that answer to my trumpet, laying the blame upon one (who they say had no more soldiery than civility) that without their assent or knowledge had given that language. I sent them answer that I was very well satisfied that, in this disavowing that harshness, they had made room for courtesy, and that I was contented to give them fair quarter, and that, according to their desire, formerly expressed, if they would send out to me two officers of quality, I would employ two of equal condition to treat with them about the particulars of the surrender. Within a short time after, there came out unto me Colonel Bamfield and Major Bodvil, who pressed very much that they might have liberty to march away like soldiers, otherwise they would choose death rather than life, and so brok off. About two hours after, they sent out unto me Lieutenant Colonel Rawlins and Major Moulin, who, after some debate, came to an agreement with me, that this morning they would deliver the Castle into my hands by ten of the clock, with colours and arms undefaced and unspoiled, and that the Gentle-

¹ S.A.C., ix. 51.



PLAN OF TOWN ABOUT 1785.



PLAN OF CASTLE ABOUT 1785.

men and officers should have fair quarter and civil usage, and the ordinary soldiers quarter. For the performance of these covenants, Sir Edward Ford and Sir Edward Bishop were immediately to be yielded to me, which was accordingly done. This morning we entered, and are now, blessed be God, in possession of that place. We have taken seventeen colours of foot, and two of horse, and one thousand prisoners, one with another, besides one hundred and sixty which we took at the first entering of the town, and such as came from the enemy to us during the siege. I humbly desire the London regiments may be sent hither to secure this important place, while I advance with what strength I have towards the enemy, who lie still at Havant. I humbly rest

Your Excellency's most humble servant,

WILLIAM WALLER." ¹

Arundel, Jan. 6, 1643 (*sic*).

**Terms of
Surrender**

The terms of surrender, as submitted by Waller and agreed to by the garrison, were as follows :

- " 1. I require the Castle of Arundell to be delivered into my hands by to-morrow morning, ten o'clock.
2. That all Colonels of horse and foot, and all horse, arms, ammunition, and military provision whatever, be then delivered unto me entire, and unspoiled.
3. That all Commanders, Officers, and Gentlemen, have fair quarter and civil usage.
4. That all Souldiers shall have quarter for their lives.
5. That, for security of performance, Sir Edward Bishop and Sir Edward Ford be immediately delivered into my hands.

WILLIAM WALLER.

EXPLICATION.

1. By fair quarter I understand, giving life to those that yeeld, with imprisonment of their persons, but civil usage, which is sufficient security, they shall not be plundered.
2. Concerning the place where they shall be sent I will not determine, but will be left to mine own freedom, without further capitulation.
3. The ministers are included in the Articles, and are prisoners as well as the Souldiers.²
4. When I send away the officers I shall take care that they shall not want horses to carry them, but will not be bound to let them have their own horses."³

¹ *Parl. Hist.*, Vol. XIII, p. 16.

² This was introduced for the purpose of including the celebrated divine, Dr. Chillingworth.

³ "Tuesday, Jan. 9. Divers of the Cavaliers which Sir W. Waller had taken prisoners at Arundel Castle on Saturday last,

In his narrative of the siege, Daniel Border says that, "a day or two after the taking of the said castle," Sir W. Waller captured a Dunkirk ship, "which came up the channell not farre from Arundell Castle . . . " ¹

This statement is undoubtedly inaccurate. The more probable version of the affair is contained in the letter of the Rev. John Coulton. In it he says:

"I cannott omit one thing: imediately after the yielding of the Castle, 3 holanders rune aground, a Dunkirk man of war richly laden with Hollands and lockrams" (a kind of coarse linen, from Morlaix, in France) "and threed Plush, with 24 pieces of ordnance; the holander perceiveing us neare (it was 3 miles from Shoareham) they onely desired the ship, and gave Sir William Waller the prize, the which they have, and now carts are carrying it to Arundell . . . " ²

were brought into London, some in carts, and others on foot, and were committed to London House, and several other prisons in London, and to the King's Bench, and other prisons in Southwark, where I hope they will be kept safely." *Mercuries Civicus*, No. 34, p. 360.

¹ Tierney, p. 73.

² Smart, *S.A.C.*, ix. 53.

CHAPTER XIII

Sir William Springate—His Illness and Death—Lady Springate's Journey—Controversy between the Corporation and the Inhabitants—John Pellet—Damage done to the Town in the War—Petition—Award—The Second Mace—Difficulty of securing a Mayor—Wearing of Gowns—Henry Frederick Howard—Narrow Escape of Charles II—Demolition of the Castle and Town Wall—Persecution of the Quakers.

WALLER now prepared to leave Arundel. Before doing so, however, he repaired its defences—
Waller Leaves
 “We have fortified Arundell as strong as ever you saw a thing.”¹—and appointed Colonel Herbert Morley, of Glynde, and Sir William Springate joint governors of the Castle. Within a few weeks, however, Sir William Springate died. The account of his illness and death is preserved in a letter, written by his widow, about the year 1680, to her grandson, Springet Penn.² Apart from the heroic devotion revealed in it, it merits insertion here by reason of the graphic picture it gives of the almost superhuman difficulties attending a journey from London to Arundel in the winter at this period.

Colonel Morley and Sir William Springate Appointed
 1644
Lady Springate's Narrative of her Journey
 “. . . But few weeks after this” (his appointment as joint governor of the Castle) “the disease of the soldiers that were in the town and castle, called the calenture³ seized on him at his quarters, at one Wade's, near Arundel, whither he sent for me in the depth of winter frost and snow, from London, to come to him, which was very difficult

¹ Smart, *S.A.C.*, ix. 53.

² Eldest son of the celebrated William Penn, founder of Pennsylvania.

³ Typhus fever.

for me to compass, being great with child of thy mother, the waters being out at Newington and several places, that we were forced to row in the highways with a boat, and take the things in the coach with us, and to horses to be led with strings tied to their bridles, and to swim the coach and horses in the highways; which things the coachmen were so sensible of, and the badness of the ways between London and Arundel at that time of the year, which made them refuse me almost throughout the neighbouring streets; only one widow woman that kept a coach, and had taken a great deal of our money, and had a very great respect for thy grandfather, undertook to have her servant go, though he should hazard his horses. So I gave him a very great price (twelve pounds) to carry me down, and to return, if not with him, within a day's stay. It was a very tedious journey, wherein I was benighted, and overthrown in the dark into a hedge, which when we came to come out we had hardly room to get out, for fear of falling down a very deep precipice that was on the other side, which if we had fallen on that side we had certainly broken ourselves to pieces. We had only a guide with us, that was the messenger from thy grandfather, who riding on a white horse was the only help we had to follow in the way.

"Coming by a garrison late at night, the Colonel whereof required the guard to stop the coach, and give notice to him by firing a gun, which he did, upon which the Colonel came immediately down to invite me to stay, and, to encourage me, told me that my husband was like to mend, and that he understood I was near my time, beseeched me I would not hazard myself. Upon which the coachman (being sensible of the difficulties he should undergo) would needs force me to lodge in the garrison, saying his horses would not hold out, and thay would be spoiled; to which I replied that I was obliged to pay for all the horses if they suffered, and that I was resolved not to go out of the coach unless it broke until I came so near the house that I could compass it on foot; so finding my resolution he put on.

"When we came to Arundel we met with a most dismal sight: the town being depopulated, all the windows broken with the great guns, and the soldiers making stables of all the shops and lower rooms: and there being no light in the town but what came from the light in the stables, we passed through the town toward his quarters. Within a quarter of a mile of the house the horses were at a stand, and we could not understand the reason of it, so we sent our guide down to the house for a candle and lantern, and to come to our assistance; upon which the report came to my husband, who told them they were mistaken, he knew I could not come I was so near my time; but they affirming that it was so, he commanded them to sit him up in his bed, 'that I may see her,' said he, 'when she comes'; but the wheel of the coach being

pitched in the root of a tree was some time before I could come. It was about twelve at night when we arrived, and as soon as I put my foot into the hall (there being a pair of stairs out of the hall into his chamber) I heard his voice, 'Why will you lie to me! if she be come, let me hear her voice,' which struck me so that I had hardly power to get up stairs; but being borne up by two, he seeing me, the fever having took his head, in a manner sprang up, as if he would come out of his bed, saying, 'Let me embrace thee before I die; I am going to thy God and my God.' I found most of his officers attending on him with great care and signification of sorrow for the condition he was in, they greatly loving him. The purple spots came out the day before, and now were struck in, and the fever got into his head, upon which they caused him to keep his bed, having not been persuaded to go to bed no day since his illness till then, which had been five days. Before his spots came out, they seeing his dangerous condition (so many Kentish men, both commanders and others having died of it in a week's time near his quarters), constrained him to keep his chamber, but such was his activeness of spirit and stoutness of his heart that he could not yield to this ill that was upon him, but covenanted with them that he would shoot birds with his cross-bow out of the windows, which he did till the fever took his head and the spots went in, and after that the fever was so violent, and he so young and strong of body, and his blood so hot (being but about the age of 23) that they were forced to sit round the bed to keep him in, but he spake no evil or raving words at all, but spoke seriously about his dying to my doctor, which I brought down with me by his orders."

1644

Death of
Sir Wm.
Springate

Two days afterwards he died; his wife nursing him assiduously to the end. "When he was dead," says the poor lady, "then I could weep."¹

But the troubles incident to the Civil War were not the only source of vexation to the peace of the town at this period. The old controversy between the corporation and the inhabitants had again become acute and legal proceedings were threatened. The corporation, however, stood firm, determined at all costs, to preserve

1643

Dispute
Between the
Corporation
and the
Inhabitants

to themselves the benefits usurped by their predecessors. On April 4, 1643, a defence fund was opened, each member of the municipal body depositing "forty shillings in the hands of the Brookwarden to defend any lawsuit attempting

¹ Thomas-Stanford, pp. 115-117.

to deprive them of their right of preventing the use of the brooks to any not of their company."

This seems to have had the desired effect: the threatened lawsuit came to nothing and the corporation was left in possession. A small concession, however, was made in the following year, by which a "Burgess" was permitted, if none of his "brethren" wished to lease his share of the brooks, to let it to a "comaner."

But however bitter may have been the feeling between the town and the corporation on this particular matter the majority of both were at one in their sympathy with the Parliament. In 1643 this sympathy was accentuated by the election of John Pellet, or Pellat, as mayor. By

1643

John Pellet
Elected Mayor

descent a member of one of the oldest families in Sussex, by trade a mercer, in religious convictions a strong puritan, and, in later years a persecutor of the Quakers, he had been admitted a burgess in 1642. Immediately after his election as mayor he took steps to deal with the "ungodly" among the corporation:

"... wheras Thomas Oliver and henry Bigg doe at present stand presented at ye Court Leet holden for this Burrough . . . for ungodlie loose and common alehousechanters and Drunkards and wheras the sd Tho. Oliver and henry Bigg wear Required by ye Maior to clear themselves of ye sd presentment which they have Rather Confessed as true; than otherwise: And wheras the sd henry Bigg hath formarlie Refused to bear ye office of Portreive and also the sd henry Bigg and Tho: Oliver are and of long time have been men of Evill life and fame . . . Refusing to yeald satisfaction or to Reforme their Evill and ungodlie life . . . it is this 5th of December 1643 ordered . . . that neither the sd henry Bigg nor Tho: Oliver shall have Receive or partake of Any ye profitts or Commodities belonging to ye Corporation neither shall ye sd . . . putt in or Pasture any Beast or Cattell in ye land caled ye Burgesses Brookes untill they Reform their evill lives and . . .

JOHN PELLATT Maior."

He then turned his attention to the compilation of a list of keyage dues. Subjoined are some of the items:

"Keyage
Dues"

"The Pety Customs Due to be payd ffor Maintaining the Key of Arundell Belonging to the Mayor and Burgesses.

Bakon a last or xxx flitches	1s. viiid.
Butter a last	1s. viijd.
Bankeffish a lb.	os. iiijd.
Cardes a pack wooll cards	os. iiijd.
Cards playing cards	1s. od.
Cloath woollen a pack	os. iiijd.
Cloath a peese full length	os. jd.
Coales a chaldron	os. iiijd.
Corne every five qters ob. after	os. ijob.
Code ffish a hundred	os. jd.
Glas the case	os. jd.
Groundig of every vessell	os. iiijd.
Herrings white the last	os. xd.
Herrings read the carde or barrell	os. jd.
Iron in wrought bars every tun	os. ijd.
Lead a ffether	os. iiijd.
Leather Hide a dicker	os. vd.
Metell of Brass Peauter or Copper	os. jd.
Makerells a ind	os. iiijd.
Oysters of every boate.	os. ijd.
Stones for Mills	1s. od.
Stones of Purbach a tun	os. iiijd.
Tombe Stoanes a peese	iiijd.
Wine ffrench or Spanish pr tun	os. iiijd.
All other goods not before mentioned the tun and so after the Rate	os. ijd."

The Vicar
Expelled

About this date the Vicar, the Rev. Thomas Heyney, was expelled from his living by order of the House of Commons. The reason for his expulsion is thus detailed by Col. John White in *Century of Malignant Priests* :

"65. The Benefice of Thomas Heny, Vicar of the Parish Church of Arundell in the County of Sussex, is sequestred, for that he is a common frequenter of Ale houses and Tavernes, and hath been often drunke, a common swearer, and hath oft procured Alehouses to be set up in by-corners of the said Towne, in despite of the Magistrate, and not onely preacheth very seldome himselfe, except it be for speciall reward, but refuseth to suffer others to preach to his parishioners, when himself doth not, and checks them for desiring preaching so much, telling them, That he would make them content with an Homily, and before he had done with them would make them glad with one sermon in a moneth. And by his power

in the ecclesiasticall courts, hath caused scandalous persons to be placed for schoolmasters in the said Town to corrupt the youth, and hath expressed great malignancie against the Parliament." ¹

1643
Sir Ed.
Alforde
Disabled
from Sitting
in
Parliament

In January, 1643, Sir Edward Alforde, of Offingdon, who had sat as one of the members for Arundel since October, 1640, joined the king and was disabled by Parliament from sitting. The vacancy in the representation of the Borough, thus caused, was filled by the election of Herbert Hay, of Glyndbourne, who later became a member of the Sussex Sequestrating Committee.

Herbert Hay
Elected

Damage
Sustained by
the Town
during the
Civil War

As may naturally be expected, the town suffered severely during the war. By Hopton's soldiers the inhabitants had been pillaged and many of their houses destroyed. The north entrance, St. Mary's Gate, had been shattered by Waller; the parish church had narrowly escaped burning, and the interior of the Fitzalan Chapel had been wantonly defaced by his troopers who had made use of it as a stable for their horses.

1645
Petition for
Compensa-
tion

A committee, to sit at Billingshurst, was appointed by Parliament in 1645 to inquire into the damage sustained, and the following petition, accompanied by a list of claims, was presented to it, in 1646, on behalf of the inhabitants of Arundel:

"To the honerable comtee for the Rape of Arundell, sitting at Billingshurst. The humble petition of the well affected p̄sons in the burrough of Arundell.

"Humble sheweth

"That which your eyes have heretofore seene, and your eares heard, the sad and distressed estate of us the poore, plundered, robed, and spoyled inhabitants of the said burrough, whoe were driven by the king's forces from house and habitation, to secure our lives, and, in our absence, robed and spoyled of all outward comforts to mayntayne a livelyhood; some of our houses being burnte, and others made stables of, and some pulled downe, and all our goods imbeasled, and taken away, to our great impoverishinge, insomuch that, unto this day, divers owe greate sumes of money, and are not able to pay them, and others broughte very

¹ Sawyer, S.A.C., xxxvi. 139.



A VIEW BY HOLLAR, 1642.



CIRCA 1700.

low, which hath inforced us to take hold of the unparraleled love and care of the honorable houses of parliament, in p̄vidinge an ordinance for our repayre.

"Now our humble sute unto your honours is, that you would bee pleased . . . to certifie or represent this our said condition to the honorable houses of parliament, from whome, next under God, wee can have hopes of redress, and by your helpe hope of access, for the better effectinge whereof wee have severall times mett, and chosen out eighte of the most able and knowne persons, to examine the severall bills brought in of losses, and to accepte of what should appeare to be lost ; either by wittness, or apparent to their knowledge or judgment, who exactlie examined the same ; so that there is much less in this bill (hereunto annexed) than did really appeare to bee lost, . . . the which if your honours shall be pleased to certifie accordinglye, we shall bee bound for ever to pray," &.

Signed "NETHANIAL OLDEN, Mayor," and eleven others.¹

The list of claimants annexed to this petition contained the names of thirty-eight individuals, and the whole amount of compensation requested was £3,772 7s. 6d. Of this £950 was awarded to James Hugget ; £600 to John Albery ; £536 to James Morris ; £276 to Thomas Greenfield ; £260 to Alice Charman ; and various smaller sums to the remaining parties.

Although this petition is the only direct reference to the Civil War contained in the municipal records, it is evident from the following resolution, adopted on
 1645 November 1, 1645, that the corporation were alive to the danger of loss of the ancient privileges of the borough in the general upheaval, and that they took immediate steps to safeguard their rights :

Renewal of the Charter "It is this day ordered : Concluded and Agreed uppon by Mr. Jon. Albery Maior of this Burgh : and the rest of the burgesses of the Burgh that the Chaurter of this Burrough for the beter govement thereof bee forth with Renued and for the beter enforcing thereof : It is ordered and Agreed that everie of the burgesses . . . doe within 14 daies next Insuing deposite in the towne chest or at Common Stock fiftie shillings each of them : which is twentie pounds : to be disburst by the persons hereafter named : in for and About the charges : of Procuring the Renewing the sd Charter : wich monies shall be dd out of the chest : . . . to and for ye said use Aforesd ; and its Agreed . . . that

¹ Tierney, pp. 714-15.

those wich doe now disburse ye sd twentie pounds : shall bee Reimbursed : out of ye first monnies that shall come in to ye Comon Stock : and it is farther Agreed . . . that the Mayor . . . and . . . be desired to undertake as farr as : lawfully they may the Renewing the sd Charter : and that they prosecute the same : by God's Assistance . . . and its further Agreed : . . . that in case the sd : twentie pounds : shall not suffice for the Paying all fees : . . . for procuring ye sd charter : then its Agreed . . . that ye over Charge bee : equally : Payd : by the sd Maior and Burgesses : . . . and its further ordered . . . that if any of ye Burgesses . . . shall refuse . . . to deposite : his proportion of money according to this Agreement : then it is ordered : . . . that the person soe refusing . . . shall bee suspended : from all profitts and other Privileges of the Companie : untill hee or they shall Conforme themselves to this Present order."

Signed " JOHN ALBERY Maior."

No record, however, exists to show that the " charter " of Elizabeth was renewed ; probably some form of assurance was given that such was unnecessary.

Earlier in the same year the obligations of newly elected burgesses were more carefully defined :

" . . . every future burges elected shall at his owne charge lay into ye Brookes uppon ye Causie 10 loade of stones and also shall pay ye brookwarden's bill and his or their parte of ye tax which was due for Any Charges disburst on ye Brookes for ye yeare next before going and shall also make and provide A good and sufficient Dinner for his brethren and their wives according to ye usuall Custom : within seven months next after his or their elections . . ."

and additional provision was made for mayoral expenses as an inducement to the more regular discharge of the duty of holding the " three weeks court " :

" It is this day ordered . . . by the Maior and Burgesses of this Burrough that all profitts dues Rents and Benefitts arising and becoming due as well for all goods laden or unladed at ye Common Key or in Anny Place betwixt ye Bridge . . . and the sea : as also all such rents as are or shall hereafter be or become due out of ye foure Butshars Shambles and ye shopp latlie demised to Thos. Philpot . . . shall Remayne and be payde unto the Maior . . . for the time beeing and to his sole and onlie use and behoofe from this time forth and for ever provided and its Agreed that in Consideration of this Act of ours the Maior shall constantlie hold and keepe in the usuall place . . . a court everie three weeks or in Case he shall omitt through som speciall occation ye sd time hee shall not faile at ye least to keepe ye sd Court every six weeks : And in case ye Maior

shall faile to keepe his court every six weeks then all the sd dues Rents and Profitts shall be payd : unto : ye Brookwarden for ye use of ye Companie : as heretofore it was : ”

Signed “ RI : HAMPER Maior ”

By 1646 the turmoil of the Civil War, in so far as it affected the town, had practically ceased ; the Castle was garrisoned by parliamentary troops, the ordnance had been brought from Chichester to it, and its vaults were converted into a magazine. In the security thus afforded the inhabitants found opportunity to rebuild their demolished houses and to complete the construction of the new bridge.

In or about the year 1646 the second mace ¹ belonging to the corporation was marked with the initials of Nathaniel Older and with the date of his mayoralty. The **Nathaniel Older** statement made by Hillier that Older “ was several times Mayor of Arundel during the Commonwealth ” ² is, however, incorrect. He was mayor for the year 1646 only. A flat stone of Sussex marble, outside the north door of the Parish Church, marks his grave, as well as that of his father-in-law, the Rev. William Carus, who, presented to the living of Arundel, October 6, 1595, by Queen Elizabeth, retained it until his death in 1620, when he was succeeded by the Rev. Thomas Heyney.

1646 Notwithstanding the recompense granted to the **Trade of the Town** town in 1646 by the committee sitting at Billingshurst, the state of trade in it had reached so low an ebb that it became increasingly difficult to find a burgess willing to take the post of mayor owing to the expense thereby entailed. To render the office more attractive the corporation resolved on October 26, 1647 :

“ . . . that ye North part of ye slipes from the Slipe Gate next Adjoining unto Jo. Pellett’s slipes shalbe and in use to the Maior of the Burrough for the time being : from the 29th. of March last 1647 : wich slipes is to be letten for from thence next insuing for and during the time of seven years : to some one of ye Company who is to pay the Rent halfe yearly to ye Maior for ye time being : wich the Maior is to have and enjoy for and towards his ordinary charges in keeping his 3 weeks Courts and other charges Incident

¹ See Appendix IV.

² Hillier, *A Day at Arundel*, p. 67.

to ye Mayoralitie over and besides all other dues and Benifetts formerly by him Customarily Injoyed and granted him."

Signed "JAMES MORRIS Maior."

Wearing of Gowns by the Corporation The wearing of gowns was now either revived or for the first time made compulsory :

"It is this day ordered : by ye Maior and Burgesses : of this Burrough that the Maior and all the Burgesses of this Burrough doe at or before the xxth day of Dec. next make and provide each of them A New Gowne of blackcloth to ye ffasion worne by ye Aldermen of Chitchester and decently ffaced with blacke velvett : the maior is to make and provide his Gowne by ye xxth of November the other Burgesses are to make theirs According to ye same Color and ffasion by ye time before prefixed."

Signed "JAMES MORRIS Maior."

This enactment seems to have met with but tardy response. In the following month an extension of time was agreed upon, but the penalty of exclusion from the brooks for continued disobedience of the order was included in the resolution.

The death of Thomas Howard, Earl of Arundel, at Padua, in 1646, has already been referred to. He was succeeded

Henry Frederick Howard
(1646-1652)
25th Earl

by his eldest surviving son Henry Frederick, who, until the latter end of 1645, was constantly engaged under the standard of the king. In 1646, owing to the declining health of his father, he resigned his commission and hastened to Padua. On his return to England in the following year, "he found the royal cause irretrievably ruined, himself included in the list of delinquents, and his estates in the hands of the parliamentary sequestrators. To obtain relief, he addressed a letter to the House of Commons on the subject ; and, in November, a resolution was passed, declaring that, 'in regard the parliament had made use of monies to the value of fifteen thousand pounds, assigned by the late Earl of Aundel for payment of his debts,' a fine of six thousand pounds would be accepted 'for pardon of his son's delin-

Is Fined £6,000 quency and discharge of his sequestration,' and ordering that, on payment of the said sum, without any addition either of fifths or twentieths, his estates should be instantly restored to him. On the follow-

ing day the resolution was adopted by the lords, and the Earl seems to have entered on immediate possession."¹ His subsequent history proved him a most unnatural son.

**His
Character**

He seized that portion of the property which had been willed to his mother ; he denounced her as a popish recusant in the hopes of ruining her ; he assailed her character with the most shameful accusations, and finally when, after three years' litigation, the courts returned a verdict in her favour he continued to withhold her property from her. His own death, however, at Arundel House in 1652, two years before her decease, relieved her from his persecutions and disappointed him of the fruits of his disreputable schemes. His body was brought to Arundel and interred in the family vault. That he did not reside at the Castle is clear from the fact that it was still used as a garrison for the parliamentary troops. These were under

1651

**Escape of
Charles II**

**Col.
Gounter's
Narrative**

the command of Colonel Morley, who, in October, 1651, might easily have effected the capture of Charles II had he been aware at the time of the proximity of the royal fugitive. The incident, detailed in Colonel Gounter's narrative written prior to the restoration, occurred close to Arundel, probably somewhere in the Rewell Wood. The king, after his defeat by Cromwell, at Worcester, on September 3, had been compelled to seek safety in flight, a heavy price being placed on his head. Under various disguises he reached Bristol. Here, unable to find a ship to take him to the Continent, he altered his route and hastened on to the Dorsetshire ports only to experience the same difficulty. At this juncture, Dr. Henhman, afterwards Bishop of Salisbury, recommended one of the Sussex ports, and Colonel Gounter of Racton undertook to have a boat in waiting at Brighthelmstone. The king spent the night of October 13 at Hambleton at the house of Gounter's sister, Mrs. Symons. On the following morning, accompanied by Lord Wilmot, his servant and Colonel Gounter, he pushed over the Downs, passing a little to the north of Halnaker and Slindon Park. "As the travellers approached Arundel they met the

¹ Tierney, p. 500-1.

governor of the Castle, Captain (Colonel ?) Morley, going out to hunt. The better to avoid him they dismounted, and so escaped notice. Charles being told who it was, replied merrily : 'I did not much like his starched mouchates.' This incident appears to have caused the travellers to change their route ; instead of crossing the Arun at Arundel, they seem to have ridden northwards, and crossed at Houghton Bridge."¹ Other writers affirm that Charles passed through Arundel. This, however, is highly improbable, and is at variance with the account given by Gounter.

State of the Corporation The records of the corporation, at this period, demonstrate the evil consequent upon the admixture of public duty with personal profit. Election to the municipal body ceasing to be regarded as an honour, sank to the level of a commercial transaction ; offices of importance in the interests of the inhabitants were filled with increasing difficulty ; the duties attaching to such offices were perfunctorily performed or altogether neglected, and the emoluments accruing to each from his share in the brooks grew to be the chief, if not the only, consideration.

1648 An attempt to redress this state of affairs was made on September 12, 1648, when it was resolved :

Reforms Attempted " That whereas the land called the Burgess brookes hath beene given to this Burrough of Arundell the better to enable the Maior and Burgesses from tyme to tyme to beare the charge of the office of Maioraltie and all other charges incident to the well Government therof. And whereas of late it apeareth to this Company that many persons chosen into bee Burgesses have for many yeares taken their parte of the profit that do of the said Burgess brookes And before they have beene chosen to bee Maior wherein the greatest parte of the charge lyeth for wch they have received a yearlie pfitt have taken occation to leave the said Company and refused to bee reputed as Burgesses to Avoid the charge of Maioraltie or for some by and sinister ends of their owne, after they have received much of the pfitt and borne litle pte of the charge It is therefore this day ordered . . . by Capt. James Morris the second tyme Maior of this Burrough and the rest of the Burgesses . . . that whatsoever pson or psons that shall from henceforth bee elected and chosen into the said Company . . . shall give to the Maior for the tyme beinge . . . a bond of Twentie pounds

¹ Thomas-Stanford, p. 259.

sterlinge never to departe or leave the said Company untill hee or they shall first have obtayned leave of the Maior and Maioryte of the Burgesses under their hands in writtinge : And it is further ordered . . . that all such moneys as shall bee forfeited . . . by any pson or psons soe leavinge the Company contrarie to this order shall bee imployed upon the amending of the said Brookes for the genrall benefit of the whole companie."

Signed " JAMES MORRIS Maior."

It should be noted, however, that the assumption with which this resolution opens was totally inconsistent with fact ; the brooks were not at any time " given " to the corporation. Its rights and obligations in this land, and the questionable means by which it acquired the freehold have already been indicated.

In the following year the order of October, 1619, prohibiting the " feastinge of the whole Towne at the goeing out of the Maior," enjoining the " keepinge everie three weeks of a Court," and making it compulsory upon the mayor to provide a dinner " for all his Brethren and all those officers that are called to apeare at the said Courte and alsoe at the determination of his yeare to prepare a dinner for the Steward that keepeth the Courte and for all the Jurey," was re-enacted, the penalty for non-compliance being raised to " six pounds of Currant English money."

1649

The Vicar's
Right in the
Brooks

In the minute dealing with the usual yearly apportionment of the brooks among the members of the corporation for this year (1649) there appears, for the first time, the allotment of a share to the vicar :

" and the Minister to have one horse going in the said slipe from the beginning."

Tierney is evidently of opinion that this was an ancient vicarial right, but, as the earlier municipal records contain no mention of it, this seems improbable. Possibly it was first instituted about this time when, with the expulsion of the Rev. Thomas Heyney as a " malignant priest," the religious views of the succeeding vicar were more in accordance with those of the corporation.

This right is included among the vicarial possessions in the terrier of 1663—

"Item, our minister hath the keeping of six kine in the brooks, called the 'Burgess' Brooks,' every year." ¹

And it continued to be exercised until the middle of the eighteenth century, when it fell into disuse.²

1650

The regulations of the corporation in 1650 give a further insight into its polity at this period. Among these regulations were:

"A Colecion of all such former orders and acts as have bin made by our predecessors and are specified in this Booke unto the performance whereof every Burgess stands bound when he enters into this Cumpany formerly by oath but now by faithfull promise:

1. Imprimis That hee in the presence of Allmghty God and this cumpny will give due Reverence and Respect unto the Maior in beeing and also to the Senyor Burgissis accordinge to thear placis as hath bin accustomed.
2. That hee will Bear and serve all such offices as have bin accustomed to bee bourne by his predecessors for or beeloning to the Maior and Burgissis either to themselves or the Burrough.
3. That hee will pay all tole assements taxes and charges equall with his other bretheren.
4. That hee will put in nor feed no other Catell in the Brookes than his Bretheren doe nor any Catell but his owne except with the maior parte of the Companies Consent in which maior parte is Intended the maior parte of the Consent.
5. That you shall not sue or Arest aney of your bretheren except it bee for debt due unto you without the aforesaid maior consent of the Cumpany but shall Refer your Cause of difERENCE to them and shall submit to the Remedy damage or award by them apoynted you.
6. You shall consent and submit to all such orders and byelaws as either have bin made and specified in this Booke or that hereafter shall bee made by the persons abovesaid and that you Keepe the counceles of your bretheren in all things that is Lafull and honeste.
7. That you make unto the Maior and all the Burgissis and their Wives a Diner within one month after the day of his choyce except hee give the Consent aforesaid for a longer time and shall lay on the Cawsey in the Brookes tenne load of good flint stones each load to bee a tonn weight in the Judgment of the Brookwarden who is to apoynt him whear to lay them and when to bring them in.
8. To pay twelpence a pece to each sargent at his cuming in and

¹ Tierney, p. 655.

² *Ibid.*, p. 709.

every year pay to the Maior twoo shillings towards the charge of the sargents clokes untill he bee maior himselfe.

9. You are to give a bond of twenty pounds to the maior that you will not depart the Cumpany without the consent of the personnes abovesaid.
10. You are to prepare a Cumly gounne conformable to the Rest of your Bretheren for maner culer and forme and have it Redy to wear within three months after your choyce and in the same to accompaney the Maior at all times and places accordinge as the Rest of your bretheren doe."

"A Catalogue of the Sargents service and dues."

"The elder Sargent is to keepe the pound and to Receive all the accustomed dues for the same. Hee is to take Into his Custody the Burrough waights and skalles to put them out on the Market and ffaier daies and Rec. the dues for the same and likewise to set out the Butchers Standings if aney bee Required.

The Younger Sargent is to Cry all things in the Market when hee is Required and Receive the accustomed dues for the same and to keepe the tole booke to bee sworn Meshurer to look to all things sold by Dumb Meshuer and Waight on the water and to take the accustomed dues for the same after the rate of 1d. the quarter for lookinge to it and allso to make clean and prepare the Corte house and laie the Carpet and Cooshone against every court.

They are joyntly to serve as foloweth the Elder Sargent to waight on the maior for 14 daies and the younger to waight the next 14 daies and both to waight on the Maior on the Lords day and at each Court and when soever the Maior shall Require them thearunto and to warn the watch by weekly turnes both to warn the Corts and Lawday and to be in turnes thear both to Leavey all fines paines and amersements set in our Courts and Lawday and to Receive the on(e) third parte of what is Payed for thear paines. Also they are to Receive twenty shillinges a year of ye Brookwarden and to Receive of ye Maior thirtey five shillinges a peece yerly insteed of a Cloake and every third year the maior then in beeing to give either of them a Cloak worth fortney shillinges each sargent is to have 12 hapence for every time the town seall¹ is taken to seall aney lease or other writtinge."

1649

The execution of Charles I in January, 1649, and the complete overthrow of Charles II at Worcester in September of the same year, crushed the last hopes of the royalists and enabled the Parliament to disband many of its forces. In October the Council of State decided to withdraw the garrison from Arundel and

¹ For the description of "The Town Seal," see Appendix IV.

to demolish the greater portion of the Castle. "The Governor of Portsmouth was ordered to sell the salt and victuals then in the Castle towards the cost of slighting, which was to be done with some of the powder stored in the Castle, the rest being removed to Portsmouth, the keys to be delivered to Mr. Howard."¹

The demolition was carried out with so much zeal that it left the Castle almost a ruin. "By it the keep, which had hitherto been perfect, was reduced nearly to the state in which it" remained until its restoration by the late Duke of Norfolk; "the hall, with the whole of the south-west side, was destroyed; and the other portions of the building were so materially injured as to be rendered scarcely habitable—and the roofless apartments were left to moulder in neglect or sink beneath the ravages of the elements."² It remained in this condition until about 1720.

1654
John Downes
Retires In 1654, John Downes, whose election to Parliament in 1641 has already been referred to, retired from the representation of Arundel; his release is still preserved among the corporation papers. He had amassed a considerable fortune out of which he had bought the sequestered palace at Chichester, he himself being a member of the sequestering committee for Sussex. In 1649 he had been one of the signatories to the death warrant of the king, and he had been made a member of the Council of State in 1651. His subsequent history will presently be alluded to.

The corporation was, at this time, strongly nonconformist; the substitution of the terms "Minister" for "Vicar," and "Lord's Day" for Sunday in its records being characteristic in this connexion. Similarly characteristic was its fierce persecution of the Quakers, a religious sect which had recently come into existence. Founded by George Fox about the middle of the seventeenth century, the Quakers, although a relatively small body in point of numbers, claimed adherents in almost every town and village. In Arundel they comprised a considerable community.

¹ Thomas-Stanford, p. 276.

² Tierney, p. 79.

The following account of the persecution to which they were subjected is taken from Besse's *Book of Sufferings*.¹

1655

"And this same yeare" (1655) "the said Mayor, Thomas Ballard, and others with him, and the Constable George Penfold and John Serle, sent to the house of the said Nicholas Rickman to make search for vagabonds and wandering persons (whose mallice, notwithstanding their pretence, was Really at the Servant of the Lord, Joseph Fuce, who was then in the said house), there being then an order for the takeing up of Idle Wandering Persons for the voyage to Jamaica; soe they entered the house, and as soone as they came in they layed hands on the Just man Joseph Fuce," (He was the author of "The Ould Botle's Mouth Stopped" an answer to an opposing Baptist, which was printed in 1656) "and had him away Immediately to the Georg Inn, in Arundel, before the said Mayor and others, where notwithstanding an account was given by him, to any needful question, as to his place of abode, his Relations and his Imployment he then was about (wch was to Declare the Truth), whereby to give them any Just Satisfaction. Yea, and although his Place of Birth was within a few Milles of that Towne, yet the said Mayor, without any Regard at all to him, Judged in Plain words that he was not a Person fitt to Live in the Comonweale, as he said, but a vagabond, and soe fitt to be sent away, which was accordingly put in Execution, he beeing put into Company with a vile Crue (which were then taken by the aforesaid order), and soe sent to Portsmouth to be shiped to Jamaica."

"Now Thomas Lawcock being brought out of Prison" (Horsham) "to Sessions, which was then held at Chichester, in his way thither he held a meeting at one William Penfold's and Daniel Gitton's house at Binsted, near Arundel, being Accompanyied with John Slee and Thomas Lawson, where was convinced Nicholas Rickman, Edward Hamper, William Turner, Tristram Marten, John Ludgater, and severall others. And when he came to the Sessions he was there sett att Liberty (but did not continue soe long), for, comeing accompayned with the two aforementioned friends he had a Meeting at the house of Nicholas Rickman, in Arundell, where he was Declaring the truth to the people, there came one John Beaton, a Presbeterian Priest, and assisted by one John Pellat, and Pulled away the said Thomas Lawcock, and broke up the Meeting, haveing Thomas Lawcock before one Thomas Ballard, Mayor who was allso a Presbiterian, who Imediately comitted him againe to Horsham Prison, on the third Day of the Eight Month, 1655."

In 1675, Edward Hamper, whose conversion is mentioned above, leased to the Society for 1,000 years at £8 per annum

¹ Figg, *S.A.C.*, xvi. 66.

the malt-house, stable, mill-house, orchard and garden at the corner of Tarrant St. and Arun St. for a meeting-house and certain charitable purposes, eight rods at the north-east corner of the site, abutting on Tarrant St. being allotted for a burial ground.¹ This, which is still the property of the Society, as are also the two dwelling-houses west of it, is now a private garden. One gravestone is standing in it, that of Robert Horne of Swanbourne Mill, who was killed by his water wheel in 1813.²

Notwithstanding the regulations of 1650, the corporation found it necessary in 1657 to enact more stringent rules for the conduct of its members :

“ 1657 Nov. 13. Orders for the better regulation of our Company.

- “ 1. That at any time hereafter when the said company of Burgesses shall be invited by the Maior for the time being to debate uppon any publique or private bussines whatsoever or uppon any other ocasion of meeting each other if any one or more in the said Company. . . shall give provoking reviling or reproachfull language to any one or more in the said Company tending to ye engendering or stiring up of strife or preinditing each other either by word or action;
- “ 2. And that shall reveale or disclose any secret or discourse whatsoever spoken by any of the said Company in such Meetings either publique or private (more than shall tend for the punishing of sin in any of them) to any pson or psons whatsoever except only to the Maior and Burgesses aforesaid;
- “ 3. And that shall at any time hereafter hould any confederation with any pson or psons whatsoever (That are Antagonists to us ye said Maior and Burgesses) whereby to preindite any of us in our good names or estate;
- “ 4. And that shall not willingly conforme themselves to all lawfull orders made by the maior and greater parte of ye company as usually hath been acustomed relation beinge had unto severall orders inserted in this book;
- “ 5. And that shall neglect to obey and observe all other the particulars mentioned in this book which we promised to performe and duely to observe when wee were chosen into the Company of Burgesses;

¹ The property lay near the Shipyard on the south, and adjoined the messuage known as the Lower Brew House on the east. Hamper had bought it of Mary Pellatt, one of the daughters of John Pellatt, of Arundel.

² Lucas, *S.A.C.*, lv. 85.

" 6. And that shall at any time make a greate feast for all the people in the towne at one time at the time of the Maior's goeing out of his office as in former times some Maiors have done or that shall soe doe at any time within his maioralty the Company all joyne their purses to defend any suite that shall be brought for neglect of the said feast."

Then a fine of 20s., with the impounding of his cattle until the fine was paid, to be levied on any burgess breaking any of these "articles."

1659
Demolition
of the
Town Wall On September 5, 1659, the Council of State directed the "Commissioners of Militia to take care that the walls of Chichester and Arundel should be effectually demolished."¹

The foundations still exist of that portion of the wall which ran from St. Mary's Gate to the fosse surrounding the Keep, and are again to be met with under the elm trees at the summit of Poor-house Hill. The one fragment of the wall itself yet remaining has already been noticed.²

Election
of the
Corporation During the last year of the Commonwealth (1659), the inhabitants of Arundel decided to take legal steps to secure their right to elect the members of the corporation. This the corporation resisted, and the matter was taken before the King's Bench. At this juncture, doubtful evidently of the validity of their claim to elect their own members, the corporation petitioned the Honourable Henry Howard, second son of Henry-Frederick, Earl of Arundel, to use his influence to stay proceedings. A truce was thereupon

Dispute
with the
Inhabitants agreed to and the dispute was referred to Mr. Howard's arbitration. His award, which was embodied in an agreement, was accepted and signed by both parties. By it candidates were for the future to

Arbitration be nominated by the jury of the court leet, and, **Award** from those thus nominated, the "popularitie" were by vote to make selection. This award, although somewhat of a compromise, was virtually a victory for the inhabitants, since by it they obtained a considerable measure of popular control. But the victory proved a barren one.

¹ S.A.C., xii. 260.

² P. 59.

Shortly after the signing of the agreement the mayor and burgesses "finding it inconvenient that the people should thus have the power to put in as Burgesses whom they like the Mayor and Burgesses did and doe oppose it beinge satisfied that such agreement cannot alter an ancient Prescription neither was it in their power to alter it."

**Repudiated
by the
Corporation** The decision of the arbitrator consequently fell into abeyance, and the corporation, in defiance of it, continued to elect its own members.

The matter was, however, of too vital importance to the community to be thus easily set aside, and the question became, at a later date, the cause of prolonged litigation.



CORNER OF MALTRAVERS STREET, 1828.



MALTRAVERS STREET, 1870.

CHAPTER XIV

The Restoration—Death of John Downes, the Regicide—The Corporation dismissed—Pellett and Hall—"Charter" of Charles II—Hamper's Well—The Third Mace acquired.

THE restoration of the monarchy took place on May 8, 1660, when Charles II was crowned king. This was followed in August by an Act of Indemnity and Oblivion, from the provisions of which, however, the regicides were excluded. Among these was John Downes formerly one of the members for Arundel. He surrendered and was brought to trial at the Old Bailey on October 16.

1660
The Restoration of the Monarchy
Trial of John Downes, the Regicide
Sentence
His Death in Prison

He made a powerful appeal for mercy, but was found guilty and condemned to death. The sentence, however, was not carried out and he died in prison.¹

The restoration of the monarchy was followed by the re-establishment of the power of the Church. To secure this the Act of Conformity was passed in 1662.

1662
Act of Conformity
Effect on the Boroughs

By it all members of municipal bodies were required to adjure the Solemn League and Covenant and to partake of the Sacrament according to the rites of the Church of England. This struck a heavy blow at the Presbyterians, for it involved their exclusion from Westminster. The boroughs were their stronghold; the borough councils were predominately Presbyterian, and the return of the borough members was virtually in their hands. For the purpose of enforcing compliance with the Act, commissioners were dispatched to the boroughs to administer the oath, which ran as follows :

¹ Thomas-Stanford, pp. 317-19.

" I doe declare That I hold that there lies noe Obligacon uppon Me, or any other Person, from the Oath Comonly Called, The Solemne League And Covenant And that the same was in it selfe an Unlawfull Oath, and Imposed uppon the Sibierte (?) of this Realme, agaynst the Knowen Lawes and Libertyes of the Kingdome."

At Arundel, where, according to the Return of Conventicles in Sussex in 1669, there were three Presbyterian places of worship, the mayor, ten of the burgesses and one of the sarjeants-at-mace refused to subscribe :

1662 " The Names of the Maior and all such Burgisses and
Refusal of the Members of the Burrough of Arundell in the County
Corporation of Sussex As did Refuse to Take the Oath and Subscribe
to take the the Declaration In the Act Mençned ffor Well Govern-
Oath inge and Regulatinge of Corporacons etc At Arundell
in the County aforesaid the first day of September, in the fflower-
teenth year of the Raigne of our Sovereigne Lord Kinge Charles
the Second etc. Anno-Dm. 1662 :

Mr. JOHN ALBERY Maior
Mr. THOMAS SOWTON
Mr. THOMAS COLBROOKE
Mr. NETHANIAL OLDER
Mr. JOHN OLLIVE
Mr. THOMAS BALLARD

Mr. GEORGE HIDE
Mr. GEORGE TAYLOR
Mr. THOMAS THORNECOMBRE
Mr. THOMAS PANCKHURST
Mr. WILLIAM PELLETT
THOMAS KENDALL Sariant."

Their They were thereupon dismissed from their
Dismissal offices and a new mayor and corporation sub-
stituted by the commissioners :

New " The Names of the New Maior, Burgisses and Mem-
Corporation bers that are Elected for the said Burrough of Arundell
Elected Who did Take the Oaths and Subscribe to the declaracon
in the Act above Mençoned before the Commissioners At Arundell
aforesaid the Day and Yeare above Written (Vitz)

Mr. ANTHONY WESTWOOD
 Maior
Mr. WILLIAM HESTER
Mr. ANTHONY GREENE
Mr. THOMAS FEWER
Mr. JOHN WINSTON

Mr. ROBERT OTTRINGHAM
Mr. RICHARD HALL
Mr. GEORGE HARIS ALS EDWARDS
Mr. MAURICS MERSH
ANTHONY MORLEY and
WILLIAM LITTLER Sariants."

By the Act of Conformity the old close association between the Church and the corporation was renewed, Robert Ottingham, churchwarden, being elected mayor in 1663.

An account of his "disbursments," in his former capacity, is still extant :

" ffor treading the bounds	00.15.00
ffor wasing the surplis twise. . . .	00.03.00
payd to Corinh for Rinng the bell and for sweeping the Church	01.00.00
payd thomas Wady ffor Draywing A turryer And a presentment bill	00.03.04
payd for looking to the Cloke	00.05.00
payd for a busket	00.00.06
payd for my Call and swaring	00.01.04
ffor going to Chester twise	00.06.00
payd ffor a . . . ffor the Church lyten gate. gaufe to . . . by order	00.00.04
payd ffor a newe clacke (?) Rope	00.??.00
payd ffor ffencing to churchyard	00.01.06
Charges att the visaltation	00.04.00."

The visitation referred to was made by the Archbishop of Canterbury, to whom the terrier—no doubt the one for which Thomas Wady was paid—setting out the state of the vicarial possessions at this time, was exhibited.¹

The character of the new corporation differed but little from that of its predecessors: "controvarrissis," leading to the re-enactment of penalties, were common between its members, and the following special regulation had to be instituted in order to deal with neglect in attendance at divine service:

"It is agreed . . . that whereas of late there hath been A great neglect in the Company in not accompaning the mayer to the house of God on the lord's day: in that desent mayner which hath bin fformerly accustomed: the which wee conceive: hath been som hindrance to the good goverment of this Burough: and for the beter for the tyme to com: wee doe conclud that whomsoever of the Burgises for the tyme being shall not on the lord's day Repayre unto the house of the Mayre in his gowne before the minister begins any pt of his divine exersyes in the church: shall by this order be fined six pence for every such default in case it shall not apere that hee be hindred by sickeness or any other urgent ocation that shall detayne them from the church that hole day: the which sayd fine shall be thus levied the sargants shall take notice of the defaylts and shall keepe a note of the persons names and the day of the

¹ Appendix V.

munth when such defaults was and deliver it to the brookewardenes whoe shall take care it bee payd before the party put any catell into the Brookes: or Receve any proffit out of the same."

Signed

" ROBERT OTTINGHAM mayer."

1672-1677

Litigation
The Mayor
v.
Hall

From 1672 to 1677 the peace of the corporation was further vexed by incessant litigation. Richard Hall, a conformist, had been elected mayor in 1670. At the termination of his year of office, John Pellett, whose family if not himself were nonconformists, was chosen to succeed him.¹ Hall, disputing the validity of Pellett's election, refused to surrender the corporate seal, maces, books, papers, etc.; and assigned a lease of Pellett's share of the brooks to one Thomas Peckham, who drove out Pellett's cattle and substituted his own. Pellett thereupon appealed to the Courts. He rested his claim as mayor on the grounds that he was nominated by the jury of the Court leet and elected by the vote of the people, that this was the only proper mode of election since it was in accordance with the arbitration of the Honourable Henry Howard in 1659, and that the agreement, based on the award, had been signed by Hall and his supporters. Hall replied that, although the agreement had been accepted at the time, it had never been put in force, since it altered the ancient prescription of the borough: that Pellett's election was void, since, by the Act of Conformity, nonconformists were disabled from becoming burgesses; that burgesses had always been elected by the mayor and existing burgesses, as evidenced by the corporation records contained in the " booke " and not by popular vote; that " the booke hath beene kept in a chest by the Mayor and Burgesses locked with three locks whereof one key was kepte by the Mayor and the two others by the two senior Burgesses, and that it hath beene esteemed as a rule for the Mayor and Burgesses to walke by; " that the method of election ordered by Gawdy and Clarke, although it ordered that diverse of

¹ For further information relating to the Pellett family, see *S.A.C.*, xvi., p. 72. For a description of their traders' tokens, see *Williamson's Trade Tokens*, Vol. II., p. 1160.

the better inhabitants should take part in the election, that nevertheless election had been by the mayor and burgesses both before and after the Quo Warranto ; that the burgesses who had voted for Pellett did not partake of the Sacrament as required by the Act of Conformity ; a certificate to the following effect being put in :

“ Arundell May ye 4th. 1672.”

“ These are to certifie to all whome these may concerne that Thomas Pankhurst, James Goble, Richard Vokes, Thomas Drewett, Robert Lincoln, and Joseph Russell never recd. the Sacrament when administered by me as wnesse my hand the day and yeare first above written.”

Signed “ ROBERT READE Vicar of Arundell.”
his

“ SAMUEL ~ KEENE ” “ THOMAS WITHYER Junyer ”
marke

and that the Court leet at which Pellett claimed to be elected had not been held on the Tuesday next after Michaelmas as required in Gawdy and Clarke's articles.

The hearing of the case dragged on for three years, during which Pellett and his party held the position, the mayors for 1672-3 and 4 being non-conformist. The decision of

1674

Decision of
the Court of
Chancery

the Court of Chancery was delivered in 1674. Exactly what it was is not known, that it resulted in favour of Hall is probable from the fact that he was re-elected mayor in 1675, and from the following entry made in April of that year :

“ Because Mr. Thomas Hersham Attourney att Law hath beene very faithfull and diligent in managing our late suites wee doe order and appoint the said Thomas Hersham to have a horse lease in the Burgesses brookes yearely during his life.”

Signed “ RICHARD HALL Maior.”

The nature of the reward demonstrates how completely the burgesses brooks had come to be looked on as the spoils of office and the legitimate source of recompense to supporters of the successful side. Penalties were, moreover, meted out to the faithless ; thus on April 16 of the same year it was resolved that :

“ Whereas John Whittington by our order of the five and twentieth of September 1671 was by the maior and Burgesses elected a Burgess

of the said Burrough. And whereas their hathe beene since severell suites and great expense to the said Maior and Burgesses concerning the rights priveledges and way and manner of Election of the said Maior and Burgesses. Now forasmuch as the said John Whittington hath ever since deserted the said society and refused execution of his said office and also hath refused to contribute towards the said suites and expenses It is this day agreed—that the said John Whittington bee from henceforth disfranchised and clerely discharged from beinge a Burgess and bee utterly expelled the said societie.”

Signed “ RICHARD HALL Maior.”

That the decision of the Court of Chancery in 1674 did not, however, determine the vexed question of the proper mode of election of the mayor and burgesses is clear from the fact that this was not settled until February, 1677.

1677 when Richard Hall, for a wager, brought an action **Hall v. Pellett** against John Pellett, wherein the plaintiff affirmed that “ the mayor of Arundel for the time being is, and ought to be, chosen out of the burgesses then being, and that the burgesses are chosen out of the inhabitants, by the mayor and major part of the burgesses for the time being, which the defendant denied, and thereupon issue was joined, and a verdict given for the plaintiff.”

Judgment
“Charter ”
of
Charles II
 The decision was embodied in an exemplification, dated 12th February, 29 Car. II (Charles II, 1677).

Disastrous as the judgment of the court was to the cause of democratic government, impartial investigation is forced to admit the justice of the decision on the evidence submitted. The corporation records from 1539 proved that without variation from that date election of burgesses had been made exclusively by existing burgesses, that the “ Charter ” of Elizabeth and the articles drawn up by Gawdy and Clarke, while providing the procedure for the election of mayor, were silent as to the method of appointment of burgesses, and that no documents existed to support the contention that, prior to 1539, the custom had differed from that which subsequently obtained.

In the absence of such evidence, the defendant was powerless to do more than instance the constitution of the

old English "Borough-mote," where every freeman had his rights, and to point to the arbitration of the Honourable Henry Howard.

Such, however, was insufficient to warrant the court in setting aside a custom which had subsisted for at least 150 years. The result of the judgment was, to intensify the close nature of the corporation, to maintain it what it claimed to be: "a societie"—"a company"—bound by regulations of secrecy, wrapped up in details of procedure and conduct, disturbed continually by quarrels among its members, and ignorant of, and hence indifferent to, the needs of the inhabitants.

Unrepresentative of the people, irresponsible to public opinion, its interests centred mainly in the perquisites of office, the general outlook of the corporation was necessarily contracted. No general line of policy for the good of the town was laid down or followed, future considerations were sacrificed to its own immediate advantages, and the resulting limited horizon was the inevitable legacy bequeathed by it to succeeding generations.

But if the welfare of the inhabitants was a secondary consideration with the corporation, there were others not unmindful of their wants. Among these was Edward

1674

Gift of
Hamper's
Well

Hamper, whose conversion to the Quaker form of faith has already been alluded to. His residence adjoined the Court House, which stood in what is now known as the Market Square. Attached to his house, and a part of his property, was a deep well. This, in 1674, he leased to the overseers of the poor for 1,000 years at a rental of one peppercorn. By the terms of the lease, the overseers were permitted to charge an annual sum, not to exceed eight pence, to each household using the well. The revenue thus derived was to be spent on the upkeep of the well, any balance remaining to be given to the poor. The hours at which water might be drawn were between 7 a.m. and 5 p.m. from March 29 to September 29, and between 8 a.m. and 4 p.m. from September 29 to March 29. It is evident that the boon was quickly appreciated, since, in the following year, owing to the inconvenience

caused by the numbers who availed themselves of the privilege, a clause was added to the agreement extending the hours to 4 a.m. to 8 p.m., and 6 a.m. to 6 p.m. respectively. This well subsequently became known as the Town Well, and it continued to be the chief source of the borough's supply until the late Duke of Norfolk built and equipped, at his own expense, the existing system, which furnishes what is practically a free and unlimited supply.

The extent of the benefit of Hamper's gift to the poor of the town can be better appreciated when it is remembered that many of them had no wells of their own and were thus obliged to depend for their water upon the river and upon a small pond situated on the west side of King Street. This pond is shown in the plan of the town made in 1785.

Pannett's Pond It is there called Pannett's Pond. Earlier it was known as Coxe's Croft Pond. The change in name is readily explained by reference to an indenture of 1679, by which the mayor and burgesses let to "William Tilladamus—a cottage and garden late in the occupation of Thomas Pannett—lyeinge neere a pond there called Coxes Croft pond."

The general plan of the town at this time differed probably but little from that shown for 1785. Ogilvy, in his great work, *Britannia Depicta*, written at the request of Charles II and published in 1675, thus refers to it. Having traced the road from London, through Amberley and over Houghton Bridge, to Arundel, he proceeds :

1675
Ogilvy's Description of the Town " . . . you come to Arundel, at 55m. 2f., by the way of Mary Gate ; and from thence to the Bridge, 16 f. 'Tis an ancient borough town, seated on the N.W. of the Arun, over which it has a fair wooden bridge, where ships of 100 tons may ride. It is governed by a mayor, 12 burgesses, a steward, etc. ; has a great market on Thursdays, and a smaller one on Saturdays, and four fairs annually, viz., on May 3rd, August 10th, September 14th, and December 6th. It enjoys a good trade ; several ships being here built, as, of late, ' The Society,' and ' Mary ' etc. . . . From Arundel, you pass through the Old Fish Market and Watergate, by Hookwood on the left, and Arundel Great Park to the right, the little one lying between Mary Gate and the Castle . . . "

In December, 1676, the corporation acquired a third mace.

1676 It was presented by Francis, Lord Angier, one of
The Third Mace Acquired the members for the borough. The following
 note is taken from the municipal records:

“ Arundell Aprill the sixth 1677
 Burrough

Memorand. that the nyne and twentieth day of December now
 last past the right Honble Lord Angier : Viscount Longford one
 of the Burgesses in Parliament for this Towne of his Lordshps :
 noble benignitie and great goodwill and favour did bestowe and
 give unto the maior and Burgesses of this Burrough A large and
 stately shoulder Mace in the tyme of the maior and Burgesses under
 written.

JOHN WILSON Maior
 THO : PECKHAM
 ANTHONY GREENE
 RICHARD HALL
 THO : GEWER
 THO : MILLYER
 JOHN OCKENDEN.”

It is not improbable that the gift was in recognition of
 the support given by the corporation to the donor on the
1661 occasion of his election, in 1661. There were at
Parliamentary Election that time three candidates : Roger, Lord Broghill,
 Earl of Orrery ; Francis, Lord Angier, Viscount
 Longford ; and Sir John Trevor, one of the sitting members.
 Lord Broghill polled 83 votes ; Lord Angier 77, and Sir J.
 Trevor 62. Objection was thereupon lodged by George
 Taylor, on behalf of Sir J. Trevor, to 16 of the votes cast
 for Lord Broghill, and to 13 of those given to Lord Angier.
 The result of the scrutiny is thus detailed :

“ Although these excepcons should have been admitted upon the
 psent yt they have taken Almes lately. yet the ellecon for the
 Ld. Broghill exceed Sr. Jo : Trevor's in voites 5 psons, and the
 Ld. Angier exceeds Sr. John Trevor upon the same accompt two
 voites. But ye exceptions above written as he hd majority of
 both are void and groundless. The just exceptions taken agnst
 Trevors Poll was two psons beside ye maior his Casting voite was
 for both the Lds soe yt ye ellecon for both the Lds was cleare and
 soe declared by the maior after the full examination of both pties.”

Signed “ R1 : MARRYOTT
 GEORGE EDMONDS.”

"After examination of exceptions taken as aforesaid George Taylor aforesd declared himselfe satisfied and yt Sr. Jn. Trevor had lost it, and afterwards ye said Maior did publish and declare the ellection of both ye said Lords."

Signed "Ri: MARRYOTT
GEORGE EDMONDS."

The mace, which is the one in use at the present day, is of silver gilt.¹ In the same year the corporation received the gift of a silver cup;² and an indenture of **Gift of a Cup** 1678 records the sale by the Mayor and Burgesses, for £11 5s., to James Weekes, of Heene, "their messuage or tenement and garden comprising about one **Sale of Land in Heene** rood of land situate in Heene which was given to the Mayor and Burgesses by the will of Thomas Ballard, sometime Mayor of Arundel." To what purpose this money was allotted is not recorded.

¹ See Appendix IV.

² *Ibid.*



CASTLE COURTYARD, 1801.



WINDOW OF KITCHEN AND NEW TOWER, 1802.

CHAPTER XV

Thomas Howard—Henry Howard—Judge Jeffreys at Arundel—Howard House—Return of the Howards—The Castle repaired—The Bridge rebuilt—Port Commission set up—Election Disputes—The King *v.* Holmes—The King *v.* Pecknell—The Old Town Hall—Street Encroachments and Improvements—Election Customs.

THE death of Henry-Frederick, Earl of Arundel, in 1652, has already been noticed. His eldest son and successor, Thomas Howard, was, owing to chronic ill-health, compelled to live abroad. In 1660, the ducal honours of his family were restored by Act of Parliament.¹ He died, unmarried, at Padua, in 1677. In the following year his body was brought to Arundel and interred in the family vault at Arundel. He was succeeded by his brother, Lord Henry Howard, who had acted as arbitrator in the corporation dispute of 1659, and who, in 1669, was created Baron Howard of Castlerising and, in 1672, Earl of Norwich and hereditary Earl Marshal of England; the newly restored dukedom passing to him on the death of his brother. The penal laws against Catholics, however, disabled him from sitting in the House of Lords. In consequence of this he retired to the Continent and spent most of his life in retirement near Bruges. He died, in London, in January, 1684, and his body was buried in the sepulchral chapel at Arundel. To his generosity Oxford University owes the "Arundel Marbles," the remains, which had descended to him, of the great collection made by his ancestor, Earl Thomas.

Little of interest is related of the town at this time;

¹ Tierney, p. 512.

regulations enforcing mayoral perquisites, corporate secrecy, pedantic ceremonials, and matters dealing with the brooks continuing to furnish the chief subjects of concern to the corporation :

1681 "September the 13th. 1681.

Whereas diverse persons as well forreigners as Townsmen doe refuse and neglect to pay such dueties as are due and ought to bee payed to the Maior of this Burrough for the tyme beinge for goods landed or loaded within this Port of Arrundell. It is therefore this day agreed that A Suite bee comenced against all persons soe refusinge. And that wee will pay everyone a pportionable share and parte of the charges and expenses in the manageinge of such suite."

Signed "THOMAS HUMPHREY Maior."

"February the 27th. 1681

It is this day ordered that if any member of this Societie shall att any tyme hereafter disclose divulge or discover to any other person or persons whatsoever without the consent of the whole company any the lawfull reasonings Arguments or discourse of this societie or any member thereof upon or concerninge any matters or thinges whatsoever anywayes touchinge or concerninge this Corporation or Societie or any the affaires or busines relatinge to the same such offender shall forfeit for every such offence 6d. and hee to bee excluded all benefitt of the brookes untill payment thereof made to the brookwarden for the tyme beinge."

Signed "JEREMY COUNTRY Maior."

"It is ordered that two of the Burgesses by turne doe wait on the Maior for the tyme beinge in their Gownes from the maiors house to the Court house and soe backe againe every three weekes Court this order was made the day and yeare above said and is to bee observed on paine of 1d. for every default to bee payed to the brookwarden for the tyme beinge for the good of the company and upon nonpayment the Defaulter to bee excluded all benefitt in the brookes."

Signed JEREMY COUNTRY Maior."

1688 But, in 1688, an incident of special interest, vouched for by Horsfield,¹ occurred. The throne of James II was trembling in the balance, and strenuous efforts were being made by his friends to secure the election to the Parliament, summoned for January, 1689, of those pledged to support the king and the policy which he represented.

Parliamentary
Election

¹ Horsfield, Appendix, p. 29.

The candidates for Arundel were William Morley of Halnaker, and William Garway of Ford, both of them strong Protestants. To oppose them the Court party sent down a nominee of its own, and Lord Chancellor
**Lord Chancellor
Jeffreys
Intervenes** Jeffreys was dispatched from London to compel the electors to return him. On the day of the election Jeffreys went to the court-house, and, on a vote tendered for his protégé being refused by the returning officer (Thomas Peckham), rose and insisted on its being received. Peckham demanded the name of the interrupter, and, on hearing it, ordered him to withdraw
**Is
Reprimanded
by Thomas
Peckham** immediately, warning him that if he refused he would have him committed. "You," said he, "who ought to be the guardian of our laws and sacred Constitution, shall not so audaciously violate them. This is my court, and my jurisdiction here is above yours." Jeffreys, fearing to enrage the populace, left the hall. He afterwards sent for Peckham, who refused to attend; but the next morning he voluntarily waited on him, when his conduct was applauded by the Chancellor, who, at the same time, offered him preferment, which he personally declined, receiving, however, it is said, a promise of patronage for his nephew, which was afterwards fulfilled.

Morley and Garway were both elected.

Peckham, who was probably the senior burgess and who acted as returning officer, had been mayor in 1677 and in 1682. The proper returning officer was the existing mayor, Joseph Fugear. His absence may have been occasioned by the strength of popular feeling against the Court party. That he was a staunch adherent of King James, and an opponent of William of Orange, is evident from the following note:

"September 25 1690

By vertue of An Act of parliament made in the first yeare of the Reign of our sover Lord and Lady King William and Queen Mary directing and commanding all persons Civill and Military to take An Oath of fidelity between the first of May and the first of August in the yeare 1689: for as much as Mr. George Symonds and Mr. Joseph ffugear hath not taken the oath as by that Act of parliament

directing wee the Mayor and Burgesses doe dismiss them acting in the Corporation in witness whereof . . ."

Signed "A. WILMER Mayor.
RICH: VOAKES
THOMAS HUMPHREY
JOHN OCKENDEN
THO: COLEBROOKE
JAMES GOBLE."

It would appear, however, that he subsequently reconsidered his decision, and was reinstated a member of the corporation, the Act of Toleration, no doubt, smoothing matters over:

"Arrundell August the 20 1691
Burrough

Wee the Mayor and Burgesses underneath subscribed have thought fitt to elect and choose into our Society Joseph ffugear a burges for this Burrough of Arrundell he promising to comply with the orders and agreemt of the Company and to take his place after Mr. Wilmer and John Ockenden if Mr. Ockenden shall insist upon it and the sd Joseph ffugear shall lay on fifty load of Dung into the Broocks as the Brookwarden shall direct within twelve months after date hereof.

"Mr. Ockenden has consent- ed to give the hand to Mr. ffugear in regard he have beene mayor before him	Witness our hands JOHN PELLATT Mayor " etc etc.
---	---

Witness our hands
JOHN PELLATT Maior "

He was re-elected mayor in 1692 and 1693.

1689 The accession of William III re-established
Accession of Protestantism in England. As a result Sunday
William III was more strictly observed:

" . . . the 3rd. of May (1691) being Sunday we order the brookes not to be broke till Munday the 4th. of May."

and, in February, 1694, ninety-two persons in Arundel contributed a total sum of £5 6s. 7d. for the relief of the French Protestants.¹ The amount of hospitality expected of the mayor underwent no diminution at this time:

"September 28 1690

It is this day ordered that all the ensueing Maiors of this Burrough shall make a diner for the Burgesses and there wifes every six weeks

¹ Corporation papers.

with the officers that belonge to ye Corte: which we the Maior and Burgises doe Injoyne and ingadge ourselves to doe

Witnessed our hands

A. WILMER Mayor."

"except a very just cause
happen to the contrary."

etc.

etc.

The Court-house A proposition to repair the court-house in lieu of the usual feast to the inhabitants, a practice repeatedly condemned and as repeatedly revived, was carried in 1692:

"Sept ye 26 1692

Memorandum It is agreed that Mr. Tho. Humphry Maior of Arrundell doe oblige himselfe to pay into the hands of Rich. Voakes and Joseph ffugar the sum of fiftene pounds towards the Repaire of ye Cort House and markett house wch is in Lew of ye ffeast usuall made for ye Inhabitants wch wee all agree unto

Witness our hands."

It was not, however, carried out:

"This above sd some of fiftene pounds was expended upon a feast for the Inhabitants wch was allowed by us."

(Signed by five burgesses.)

Henry Howard
(1684-1701),
28th Earl On the death of Henry, Duke of Norfolk, in 1684, his titles and estates passed to his eldest son, Henry. Nothing in the life of this nobleman, however, has any connexion with the town of Arundel. He died without issue in 1701, and was succeeded by his nephew Lord Thomas Howard.

As a consequence of the destruction of Arundel Castle, at the close of the Civil War, it had been abandoned as a residence, Howard House, in Norwich, taking its place as the home of succeeding heirs to the property.

Howard House, Norwich At Howard House, with its historic bowling alley, playhouse, ballroom, tennis court, and granaries extending from Wymer Street to the river, Macaulay, in his account of Norwich in the seventeenth century, says:

"... the noble family of Howard frequently resided, and kept a state resembling that of petty sovereigns. Drink was served to the guests in goblets of pure gold. The very tongs and shovels were of silver. Pictures by Italian masters adorned the walls. The cabinets were filled with a fine collection of gems purchased by that Earl of Arundel whose marbles are now among the ornaments of Oxford. Here,

in 1671, Charles and his Court were sumptuously entertained. Here, too, all comers were annually welcomed, from Christmas to Twelfth Night. Ale flowed in oceans for the populace. Three coaches, one of which had been bought at a cost of £500, to contain fourteen persons, were sent every afternoon round the city to bring ladies to the festivities; and the dances were always followed by a luxurious banquet."

Howard House had been built by the Duke of Norfolk, who lived in the time of Henry VIII, and it had been rebuilt in 1602. Mackerell, in his MS. *History of Norwich*, says that it was reported to have been the largest house in England out of London.

It might have continued the principal residence of the family, but for a variety of circumstances, among which the ill-feeling, on political grounds, of the mayor and corporation of Norwich towards Duke Thomas, in 1711, was undoubtedly a determining factor. In that year the mayor issued an order prohibiting the Duke's comedians from entering the city with trumpets, etc. This so annoyed the Duke that he withdrew from Norwich and gave instructions for the total destruction of Howard House. His thoughts now, not unnaturally, turned to the splendid ruin at Arundel, and he resolved to refit it as a residence. Between the years 1716 and 1720, he "repaired the dilapidated apartments; erected others of more modern appearance; and introduced various convenient alterations in the old buildings. A line of stabling now occupied the site of the Great Hall which had been destroyed, and a modern brick front, brought forward into the court on the principal side of the quadrangle, afforded an opportunity of enlarging the interior by the addition of galleries and staircases communicating with the several apartments."¹ That he did not proceed to a more extensive restoration was due probably to the position in which he found himself in 1722. For some months he had been suspected of corresponding with the Pretender. He was arrested, brought before the Privy Council, and committed to the Tower, on sus-

1711

Thomas
Howard
(1701-1732),
29th Earl

Dispute with
the Mayor of
Norwich

Orders
Destruction
of Howard
House

Return to
Arundel

1716-1720
Repairs to
Castle

1722

Committed
to the Tower

¹ Tierney, p. 79.

picion of high treason. His committal was confirmed by the House of Lords ; but, after a confinement of six months, he was released on bail in company with Lord Orrery (formerly member for Arundel), and several others. He died in

1732

His Death

London, without issue, on December 23, 1732. However difficult it may be to-day, after the lapse of almost two centuries, to state correctly the effect, it would be hard to overestimate the importance, upon the history of the town, of the re-establishment of Arundel Castle as the principal seat of the Dukes of Norfolk.

The opening years of the eighteenth century were rendered memorable by the brilliance of Marlborough's campaign on the Continent. This provided an opportunity for the transmission to the queen of expressions of congratulation from public bodies, anxious to show their loyalty to the throne. It would appear that at Arundel the corporation

1704

Address to
Queen Ann

was somewhat slow to move in the matter. At length, however, on October 22, 1704, the following address was sent :

“ To the Queen's most Excellent Majesty.”

“ The humble Address of the Mayor, Aldermen, Burgesses, and other Inhabitants, of Your Majesty's ancient Corporation and Borough of Arundel.”

“ May it please Your most Excellent Majesty,”

“ We, the Mayor, Aldermen, Burgesses, and other Inhabitants, of Your Majesty's ancient Corporation of Arundel, humbly beg leave to congratulate the happy Progress of Your Majesty's Arms, under the wise conduct of the Duke of Marlborough ; Your signal victory over the United Forces of France and Bavaria at Hochstet, as will render You Terrible to Your Enemies : so we hope the good Consequences of it here will be to stifle Faction, among ourselves. We cannot but Congratulate Your Majesty in the Success of Your Fleet, tho' not with so great and entire a Victory ; yet in the wise Conduct and Courage of Your Admiral, and Bravery of Your Officers, as to make Your Enemies retreat, tho' so much superior in Number : Which Advantage will shew Your Majesty's Arms Victorious, and terrific as much as a compleat Victory, and be of as great a Consequence.

How much these Successes abroad are owing to a wise, steddly and frugal Management at home, the most contracted sight may readily discern.

We hope Your Majesty will accept our Zeal to Your Sacred Person with the same Integrity as if we had been speedier in our

Address ; and believe we are entirely devoted to Your Majesty as the earliest Addresses.

We beseech God to pour down his Blessings on Your Councils, and grant us the Felicity of Your long and happy Reign over us. In Testimony whereof we have hereunto affixed our Common Seal, the 22nd. day of October, 1704."

Various regulations have already been cited in which
 1707 the corporation sought to enforce the attendance
 of its members at Divine Service on Sunday. That they had failed to attain their object is evident from an entry of May 21, 1707 :

" Whereas severall orders has been made hertofore by our association comanding . . . all the Burgeses to apeare every Sondag morning at the Maiors house and to wait upon him thence to Church upon pain of sutch forfeitures . . . as apeare by ye said orders in this book And for as mutch as the said orders have not been duely observed : wee the Maior and Burgeses of the Burrough of Aroundell at a Genrall Summons and Meeting at the house of Jo : Dean ye present Maior do unanimously conserve and order yt from and after ye date hereof every Burges . . . shall be obliged to apeare in his Gown every Sunday morning at the Maiors house . . . and decently wait on him from his house to Church every one in his due place with decencie and in order and that every Burges . . . yt shall so neglect to Come . . . shall forfeit the sume of 12d. for every Sunday he shall so neglect to go . . . and forasmutch as all the former orders of this nature have been neglected or disobeyed for want of a due execution or a Good method for Colecting ye said forfeitures it is hereby ordered . . . that a book or a paper shall be kept at ye Maiors house wherein the Maior and two senior burgeses then present shall see every Burgeses name entered that shall not come . . . and every year at the Genrall Meeting of the Company at the Maiors house or when they shall meet to sett the Brooks the said Book shall be Cast up for ye year past and every Burges that apears therein to be Guilty of forfeiture shall pay down Imediatly to the Brookwarden . . . all sutch forfeitures and for neglecting to pay sutch forfeitures every Burges yt is Guilty . . . shall be by ye Company Excluded the Brooks for ye year ensuing . . . but it is further . . . agreed that every Burges yt shall have a Lawfull Excuse for not Comung to ye Maiors he shall be Excused from ye said penalty and nothing shall be deemed to be a lawfull excuse but to be Indisposed or out of town of a Sunday morning and shall send notice of it to ye Maior every Sunday morning yt it is so shall be excused from sutch forfeiture but every one yt doth not send sutch notice shall be Guilty of sutch forfeiture and pay the same as abovesd dated ye 21 May 1707."

Signed " JOHN DEANE Mayor."

1714
Corporation
Bible

A receipt for the repair of the Bible used by the mayor on these occasions states :

	£	s.	d.
" To Mr. Dean July 30 1714			
1 Comon—folio edges	0	18	00
Binding ye Church Bible	0	08	00
Clasping Buffing and Bossing it	0	06	00
making of it perfect	0	07	06
	<hr/>		
	1	19	06
	<hr/>		

Sr.

I have at last got ye Bible perfect and new bound and Claspt at ye lowest rate and I doubt not but will prove to content

I am

Yr. ffriend and servant

A : BETTESWORTH

July 30 1714

Recd. of Mr. Cooper by the order of Mr. Dean one pound and nineteen shillings in full of this Bill and all Account

ARTHUR BETTESWORTH.

£1.19.00.
" ,

The Bible now reposes in the corporation safe.

Some of the leases granted at this period are of interest in fixing the position in the borough of names and places since forgotten. Thus :

Leases

1695. An indenture by which the mayor and burgesses let to George Moore "their Tenement or Shopp lyinge between the Butchers Shambles and Inn bearinge the sign of the Black Bull."
1709. " . . . to Elizabeth Matthews the plot of ground dwelling-house and slaughter house situate in Jury Lane in the said Borrough adjoining unto the comon pound there."
1729. " . . . to Thomas Leare all that piece or parcell of Land comonly called or knowne by the name of Whiteings Ditch." (Now Park Place and Poorhouse Hill.)

The Arundel Poor Book for 1707-29 contains a list of the

"Doles due to the poor in 1715."

Doles

They comprised :

- "Fishwick's House . . . Ten dozen of bread to be given at his door on Christmas Eve.
- "Nashe's House . . . Ten dozen of bread to be given to the poor on St. John the Apostle's day at the north porch of the church.
- "Olliff's House . . . Ten dozen of bread to be given on Ash-Wednesday and ten dozen of bread to be given on Good-Friday.

- " Ballard's land . . . 7/6 to be given in bread on April 29th.
 " Greenfield's House . . . Ten shillings in money and 5/ in bread
 to be given on April 4th. and 10/ in money and 5/ in bread
 on Oct. 4th.
 " Mr. Voake's Gift . . . The interest of £10 to be given on Easter-
 Monday.
 " Hamper's Well."

The origin of some of these has already been given :
 of the others little or nothing is known.

1724 The fair wooden bridge of 1646, referred to by
The Bridge Ogilvy, was by 1724 so decayed that it was taken
Rebuilt down and the present stone one erected. The
 whole expense of the undertaking was jointly borne by the
 Duke of Norfolk and the Hon. James Lumley ; most of
 the material required being taken from the ruins of the
 Maison Dieu. In spite of the fact that the corporation,
 the body really liable, contributed nothing to the cost ¹ a
 stone fixed originally over the middle arch, but now in the
 south-east buttress, records " in somewhat ambiguous latin "
 the name of Edward Blaxton in whose mayoralty the bridge
 was erected : no mention, however, is made of those to
 whom the town was really indebted. The new bridge
 provided a carriage way only : the existing sidewalks
 not being added until nearly a hundred years later.

Edward On the death of Thomas, Duke of Norfolk,
Howard in 1732, the succession passed to his brother,
(1732-1777), Lord Edward Howard. In the following year
30th Earl an Act of Parliament, 6 Geo. 2, was passed to
1733 restore " The Harbour of Little-Hampton, called
Restoration Arundell-Port," which " was heretofore a safe
of the Harbour, and capable of receiving Ships and
Harbour of Vessels of a considerable Burthen ; But a Beach being
Little- now thrown up by the Sea, the said Harbour, is thereby
Hampton become choaked up, and the Navigation of the River
 Arun, commonly called Arundell River, ob-
 structed, and the said harbour rendered almost
 useless, to the great Damage of the Inhabitants
 of the said Town of Arundell."

Com-
missioners
of the Port
Appointed

The Act provided for the levying of duties, the borrowing

¹ *Vide The Bridge-warden's Book.*

of money, and the appointing of Commissioners for the purpose of "Restoring, Improving and Preserving" the harbour: the mayor of Arundel for the time being and the senior burgess to be members of the commission. The machinery thus set up, although somewhat amended in 1799, still continues as the responsible means by which provision is made for the upkeep of the port and harbour.

1734

Silver Cup
Purchased

In 1734 an addition was made to the corporation plate by the purchase of a silver cup; an inscription on one side of it explaining the method of its acquisition.

"This Cup was Purchas'd with ye Value of a small Cottage of 2; 6 Per Ann that was Sold by ye Mayor and Burgis of Arundell to his Grace ye Duke of Norfolk by his request in 1734."

1735

The Duke
Seeks to
Influence the
Corporation

In the following year the Duke sought to influence the election of mayor. His object was based on political considerations, the mayor being the returning officer at Parliamentary elections. The moment chosen was favourable for the attempt. The number of the corporation had sunk to nine and the Duke demanded that the vacancies should be filled by his nominees.

Appeal to Col.
Lumley and
Lord
Scarborough

The corporation thereupon appealed for help to Lord Scarborough of Stanstead Park, the head of the family of Lumley, and to Sir John Shelley and Colonel Lumley, the sitting members for the borough:

"To Lord Scarborough

Arundel October 2nd: 1735."

"MY LORD,—

Your Lordships commands being this day communicated to me by his Grace the Duke of Norfolk, I had most readily obeyed, but thought it a duty incumbent first to represent to your Lordship the true state of the Case which is as follows Viz.

That Tuesday Septem': 23d: I with my Bretheren of the Corporation attended his Grace to wish him a good journey (hearing he was going into the West of England and that 'twas his desire we should wait on him). Wherein his Grace told me that he desired we would fill up the Corporation, and indeed I replied that I should be glad to oblige his Grace, and would call my Bretheren together, and consult thereon, and on leaving his Grace he putt a Paper into my hand containing the following list to add thereto Viz:

Mr : Shaft, Mr : Ludgater, Mr : Withers, Mr : Sefton, Mr : Verall, Mr : Charman, Mr : Constable, Mr : Wickham which last had often before declared that he would not on any acco^t come into the Corporation, and all the other seven were not proper persons consistent with our Letters Patents by Queen Eliz : granted us in the 28th. year of her Reign on the 22 of June Which say that the Burgesses are to be chosen out of the Principal inhabitants of our Borough neither did I or my Brother (Bretheren) think it requisite or needfull to add to the Corporation for we are 9, And the term of filling up is quite wrong for by our said Letters Patents we are not subject to any limitations, but may add 50 Burgesses or remain with three only, and it was the opinion of my Bretheren and self that we should not be directed in the above case by any one (as no one having a right and power to direct us therin, and 'twas by the Majority determined not to doe it, on which his Grace sent to me and my Bretheren, and treated some of us with menaces, if we did not add to the Corporation as he desired, which so exasperated my Bretheren that the Majority determined not to doe it.

On Tuesday last according to custom I went to court and delivered the following Pannell for an Inquest to nominate a Burgess in Election for a Mayorallity Viz : Mr : Moore, Mr : Booker Senr., Mr : Pecknell, Mr : Booker Junr., Mr : Sanders, Mr : Lane, Mr : Wilson, Mr : Barnard, Mr : Gratwicke Esqr., Mr : Morley, Mr : Ludgater, Mr : Fuller, Mr : Thorncomb, Mr : Lewes, Mr : Spurrier, Mr : Withers, Mr : Boxold, Mr : Pinn, Mr : Gillham, Mr : Stokes, Mr : Hall, Mr : Sefton, Mr : Miles, Mr : Frankwell, Mr : Bonas, All who (except Mr : Lane who is one of the Corporation and cannot but be one of the Jury) voted for Coll : Lumley, and I did not think it to be in my power to impannell a Jury of more honest and worthy men throughout the Borough, but when I gave in my Pannell (contrary to all usage and custom of whatever happen'd in memory of the oldest man in the Borough) The Steward of the Court Leete called over the Burgesses and after them whom he pleas'd varying from and disregarding my Pannell (a thing never known before done) Nay he even refus'd to admit one of the Burgesses Viz : Mr : Pecknell who came into Court before the Pannell was called over And after the Steward had so pricked a Jury, my Bretheren and self thinking it a violation of our Franchises and Priviledges, we went to Sir John Shelley requesting his presence, who immediately came to us, and on our representation of our Complaints he was of the opinion that our Rights were by this method invaded, and accordingly advised us to write to Coll : Lumley which we did by last Post signifieing to him the above, and desiring him to join with Sir John Shelley to advise and aid us in the preservation of our rights amd priviledges ; It was mine and my Brothers opinion that I should not surrender or deliver up the Regalia nor doe any other Act acknowledgeing the right of the pretended elected Mayor

Mr : Booker, for so we call him, neither was I in Court when he was Polled for or declared, nor did they think fit to send to me for that purpose or any other, and thus I and my Bretheren are determined to remain 'till I am directed how to act by his Majestys Court of Kings Bench Unless your Lordship is pleased to command me to the Contrary, for without regard to hazard or risque as I have been Patronized by your Lordship in gaining a fortune, the same with pleasure I shall sacrafize at your Lordships will ; this Letter to your Lordship will I hope be an excuse of mine and my Brethleren's promise to Coll : Lumley of sending this Account to him as we assured him by this Post.

We must remark to your Lordship that on reading our Letters Patents granted to us in confirmation of our Rights from Queen Eliz : as before our Rights are granted and confirmed to us by the Crown (and it does not appear by any Deed or writing) that the Duke of Norfolk ever had or has any one single power over us either to add to the Corporation or by his Steward to interrupt or break thro' our antient custom of choosing a Mayor, or in any other case whatsoever.

We are determined to state the Case amply and take the advice of the best Council and hope your Lordship nor the Coll : our Representative will disapprove our conduct if we act pursuant to such advice, for we are well satisfied that the above proceeding was irregular and illegal, and so I told the Steward in Court, but he notwithstanding continued to go on as he began to the great dissatisfaction of myself, Bretheren and the Borough.

My Lord, 'tis true I promised his Grace to add to the Corporation, but 'twas before his Grace gave that list into my hand, which I and my Bretheren equally judged an open infringement on our Rights, having never before been attempted by any Duke of Norfolk or other person, and therefore thought ourselves free from our promises and when our promises were urged to us, we were at the same time told by Mr : Eyres his Graces Secreatary, that if we added Mr : Fuller with other three from his Graces list, we should not oblige the Duke, so that in fact we were to act pursuant to the Dukes orders, or you'd have had the like Complaint against me

I am

" The Majority of
my Bretheren have
signed an Agreement
to bear an equal share
of expenses, which may arise
on the defence of or a fresh
to confirm our Rights."

My Lord
Your Lordships most obed^t hum^e Serv^t
EDWD : BLAXTON."

" SR :

We apprehend a violation of our priviledges by the Duke of

Norfolks Steward, and therefore Intreat your presence to advise us now our freedom is at Stake, we are Sr :

Your most obed^t humb^e Serv^{ts}

EDW^d BLAXTON Mayor

GEORGE MOORE

JNO : PECKNELL

" Arundel Septem : 30th : 1735.

JOHN BOOKER

ROBT : SANDERS

JAMS : LANE "

To Sir John Shelley."

" SIR,—

" Arundel Septem : 30th : 1735."

Pursuant to the precept sent me by the Steward of the Duke of Norfolk's Courtleet to be held this day directed to me to give notice to all Officers and other Persons that owe Suit and Service to the said Court That they do then appear, and then requiring me to summon and cause to come 24 good and lawfull men of your said Borough to make a Jury of Inquest for our Sovereign Lord the King And that you then personally appear with a pannell of said Jury fairly written Which I did accordingly and thereon Mr : Holmes the Steward rejected my list, and called a new jury.

The above Sr is a true representation of this days action attended with these consequences that we thought the above proceeding an infringement of our priviledges, and therefore we sent to Sir John Shelley an account of these proceedings desiring his presence and assistance (which notwithstanding his violent indisposition) he readily attended us to preserve our priviledges, and we humbly hope that you'll join with him in supporting our franchises, which we are determin'd to uphold, and therefore will not suffer the Mayor (neither will he consent) to deliver up the Regalia to an under elected Mayor in defiance of our antient priviledges.

We shall give you a more ample accot : by Next post.

We are Sir

" Our Serjant was

Your most Obed^t humb^e Serv^{ts}

not suffer'd to make

proclamation according to

our antient custom but made

by the Bailiff of the Court

Leete, never such an instance

before known, but this and other

notorious instances shall be in

our Next."

EDWD. BLAXTON Mayor

GEORGE MOORE

ROBERT SANDERS

JAMES LANE

JNO : PECKNELL

JNO : BOOKER Junr : "

" To Coll : Lumley."

1735

John Booker
Dies

Events now took an unexpected turn. On October 20, 1735, less than a month after his election as mayor, John Booker died. This was an eventuality unprovided for in the "Charter."



ARUNDEL CASTLE, 1804.



ARUNDEL CASTLE, 1922

Taking advantage of the omission, and evidently in no mood to assist the corporation in the dilemma, the steward of the court leet, "Rd. Holmes the younger," refrained from issuing, in the following September (1736) the usual precept summoning the jury; maintaining that since the mayor, the only person to whom he could address it, was dead, it was impossible for him to proceed. The town had now been without a mayor for nearly a year. In order to put an end to a continuance of this unsatisfactory state of affairs the corporation appealed to the Attorney General, who instituted proceedings, in the King's Bench, against the steward of the court ("The King *v.* Holmes."). The result was the issue, on November 10, 1736, of the following mandamus:

1736

The Town
Without a
Mayor

The King
v.
Holmes

Issue of
Mandamus

" . . . We therefore . . . doe require and comand you the sd Richard Holmes the present Steward of ye sd Court Leet . . . firmly injoyning you That upon Tuesday the Twenty first day of December next At ten of the Clock in the forenoon of the same day You hold or cause to be holden a Court Leet . . . and that then and there . . . You doe every other Act necessary for . . . the . . . Election . . . of a Mayor . . . for this present year . . . And we alsoe comand you . . . immediately upon receipt of this Writ You . . . issue out . . . your precept . . . to George Moore the senior Burgess . . . to impannel . . . a Jury . . . And this you are not to omitt on Peril that may fall thereon.

Witness PHILIP LORD HARDWICKE at Westminster the twenty ninth day of November in the Tenth Year of our Reign."

A Court leet was thereupon held on December 21, 1736, George Moore presiding, "Before Richard Holmes the younger Gentleman Steward there By Virtue of his Majesties Writ of Mandamus to him for that purpose directed." At this court Robert Sanders was elected Mayor.

The truce which resulted was, however, merely of a temporary character. In October, 1739, Thomas Fuller was chosen Mayor. He belonged to the Blaxton faction which supported Sir John Shelley and Colonel Lumley, the sitting members for the Borough. It was known that a General Election would be held at no distant date, for the tide had turned against

1739

Dispute
Renewed

Walpole and his power was rapidly declining. Owing to the change in popular feeling, it soon became evident that, in order to secure the return of the sitting members for Arundel, it was essential that the mayor for 1740-41 should be a member of the Blaxton faction, since, as has already been pointed out, the mayor, as returning officer, possessed the power, a power too often unscrupulously used, of deciding whether a vote tendered was valid or not. Owing to the secession of John Pecknell and one or two others, the Blaxton faction found itself, in 1740, not only in a minority in the corporation, but faced with the certainty of seeing the principal seceder, John Pecknell, elected mayor. To prevent this, Edward Blaxton and six of his party, ignoring the summons of the Steward, refrained from attending the Court leet on September 30, 1740, the day of the mayoral election,

"Whereupon . . . Richard Holmes . . . required the Mayor (Thomas Fuller) . . . to name . . . such other the Inhabitants . . . then present . . . to be sworn of the . . . Jury . . . thereupon . . . the Mayor . . . obstinately refused to Name any other of the Inhabitants to be of the sd Jury . . . that after the said Richard Holmes . . . had requested and repeated such his request severall times to the . . . Mayor to cause the said Jury . . . to be filled up . . . expostulating with him . . . acquainting him that thereby he prevented the regularity of . . . choosing of a New Mayor and other Officers . . . He the said Mayor still obstinately refusing to do his duty . . . He the said Richard Holmes then acquainted the . . . Mayor that he would adjourn the . . . Court Leet till four of the clock in the afternoon of the same day that he the . . . Mayor might take under his Consideration what was his Duty . . . as Mayor . . . that the proceedings of the . . . Court Leet might not be prevented . . . by his voluntarily neglecting his duty."

At four o'clock the court again met; Blaxton and his friends failed to appear, and Thomas Fuller again refused to fill up the jury. Thereupon the Steward ordered an adjournment for three weeks. The adjourned court met on October 21, when Thomas Fuller, the mayor, although "summoned two severall times," declined to attend, the same attitude being adopted by the seven original absentees. In the absence of the mayor, the court was unable to proceed to its proper business, but it inflicted a fine of £100 on Thomas Fuller and £20 apiece on the other delinquents:

the steward ordering a further adjournment for two days. At the expiration of that time, the court again met, Fuller and the rest of the absentees, doubtless alarmed lest the fines would be exacted, attending. But a hitch now occurred through the absence of John Pecknell—the cause of the whole trouble—who was “then sick and languishing in his own dwelling-house.”

Determined not to be beaten by this untoward event, the steward adjourned the court to the house of the sick man, “where they all attended and were again sworn.” The steward then marched them back to the “School House” (the Sacristy of the Fitzalan Chapel where the court was at that time held); then once more to Pecknell’s “where the Jury then and there put in nomination Robert Sanders and John Pecknell.” The nominations completed, the steward led the way back to the School House, “where the major part of the Inhabitants chose John Pecknell as Mayor.” A final move was now made to his house, where he was duly sworn in and the regalia surrendered to him by Thomas Fuller.

John
Pecknell
Elected
Mayor

But the matter was not allowed to rest there. A General Election was impending, and Sir John Shelley, knowing how disastrous the presence of a hostile returning officer would prove to his chance of retaining his seat, applied for a writ of “Quo Warranto” against Pecknell, calling on him to show by what right he claimed to be mayor of Arundel. The case was tried in the King’s Bench in April, 1741. Shelley submitted that a Court leet, summoned for the election

1741
The King
v.
Pecknell

of officers, could not be adjourned from the day named in the summons. Pecknell replied that elections were valid if carried out within one month from the appointed day. After hearing the arguments on both sides, “The Judges of the King’s Bench held clearly” that, while a Court leet could be adjourned for the election of a constable or other lesser officer, the election of mayor must be in accordance with the “Custom of the Burrough—and therefore as there was a doubt and dispute in the Burrough About the Custom it was A Matter Highly proper to be Tried.”

Thereupon Pecknell quoted four instances where the election of mayor had been adjourned from the "appointed day," viz., "the Tuesday next after the Feast of St. Michael," to some "convenient day" within the month. To this Shelley replied that only four such instances had occurred in four hundred years, that on not one of those occasions was there anything in dispute; that, in 1736, Pecknell had sworn an affidavit that the only day for the election of mayor was the Tuesday next after the feast of St. Michael; that he failed to take advantage of the Corporation Act of George I, whereby corporations who had omitted to make their election of mayor on the proper day were enabled to do so on the following day, and finally that the Articles of Gaudy and Clark put the defendant's contention out of court.

The judgment of the court was, however, in
Decision favour of Pecknell.

Result The General Election of 1741 took place in May. Sir John Shelley lost his seat for Arundel, the return of the Poll being Garton Orme, 129; the Hon. James Lumley, 109; the Hon. Sir John Shelley, 39. How far Pecknell was responsible for the result is a matter of conjecture; but a perusal of the following questions, submitted for Counsel's opinion by the Blaxton faction, throws a side-light on the nature of the struggle and reveals some of the questionable methods employed at parliamentary elections at that time.

Questions Submitted to Counsel "CASE. Arundell being a prescriptive Corporation and having return of two members to Serve in parliament, the Right of Voting being in the Inhabitants of the Burrough paying Scott and Lott, the Mayor of the Corporation being the returning Officer. About Michaelmas and about Easter last poor Rates were made by the Churchwardens and Overseers of the poor of Arundell and confirmed by two Justices of that Division Wherein many very poor persons were occasionally taxed as friends to one of the Candidates at the next Election and severall other persons of sufficient Substance and Ability to be taxed were Omitted because they would not promise to Vote against another of the Candidates.

Q. In case of an Election the writ for the Choice of Members being delivered to the Sheriff in consequence of which his precept

is directed to the Mayor, has not the person whom the Sheriff Causes his precept to be delivered to (he acting as Mayor) a Right to make a return to such writ to parliament.

A. The person who acts as Mayor and to whom ye Sheriff shall send his precept has certainly a Right to make return to such precept, but if there be a doubt concerning the legality of his Mayoralty, that the house will determine probably, if occasion requires.

Q. May not the returning officer who takes the poll reject such Occasionall Votes as he has reason to believe or knows were made for this purpose, and may not the said returning officer admitt such persons to be polled as he knows had a right to be put in the rates and were rejected for the reasons aforesaid.

A. The returning officer is by Stat : 2, G. 2, bound to swear that he will return such persons as shall to the best of his Judgemt appear to him to have the majority of legal votes, so that tis necessary for him to exercise his Judgement concerning the legality of Votes offered to him, and I am clearly of Opinion that a returning officer ought not to return upon a majority of such votes as to him (on good reason) appear to be occasionally made and who ought not to have been rated at all, And I am further of opinion that he may lawfully admit such to poll who ought to have been rated and who were refused to be rated for ye reason in ye Quere : But he ought to make his return upon ye fair majority of such who were rightfully put on ye rates and of such who ought to have been rated and wd probably have been rated at any other indifferent time.

RICHD LLOYD

Chancery Lane (£1.1.0)

April 14 1741."

Q. " If there is no Mayor Chosen on the first Tuesday after Michaelmas day being the prescriptive day, May not the Sheriff direct his precept to the Senr Burgess for an Election of Members to serve in parliament and may not such Senr Burgess legally make a return of Members.

A. I am clearly of opinion that in such case as is here stated the Senior Burgess is to all Intents and purposes as much Mayor from ye end of ye prescriptive day to ye election of another Mayor as if he had been himselfe elected Mayor on ye prescriptive day and may undoubtedly make a return to ye Sheriff's precept, and the Sheriff ought in such case to send his precept to him.

RICHD LLOYD

Chancery Lane (£1.1.0)

Apr : 14 : 1741."

- Q. "If the Sheriff will take a return from the Senr Burgess—Is such Senr Burgess liable to any and what punishment for making such return altho' the precept is not sent to him.
- A. I conceive that he is not liable in such case to any punishment for if he has ye Right he does no more than his duty.
- Q. Can the returning officer take a poll of Members of parliament in the church being in the Burrough of Arundell (the Town house being pulled down).
- A. tis I think improper, at least without ye leave of ye Rector and Churchwardens and at best any other publick place more proper.
- Q. Can the returning officer take a poll in the school, being a private room or private house, and tho' it has been once done at an Election, Is it not improper because the Election ought to be in a publick place, the school room being the private property of a particular person.
- A. Any private house, or any place where every voter has not a Right to come, is highly improper, for if the owner shd. exclude any voter, he is not punishable, and a voter may pretend that, whether tis so or not.
- Q. Where one house is splitt by taxing two or three or more ffamielys in't, May not the returning officer reject such of them as he thinks fitt.
- A. No returning officer can refuse or not refuse as he thinks fit, but must judge fairly, and if a house is split fairly into 3 distinct tenements wth 3 doors to em, he must look on em as such, otherwise I conceive they are not distinct, but circumstances may vary ye case.
- Q. If there be two polls taken, must they be taken at the same place, or if in the same room, may not one be at one end and the other at the other end of the room.
- A. I don't well understand the purport of this Question, but if it means that there may be a friendly dispute between 2 persons who ought to exercise ye office of Mayor, and each of em means to do wt he ought and no more, I think yt for preventing any cavil the poll shd be taken at ye same place, and in different books, both officers asking ye voter whom he polls for, and both clerks taking it down at ye same time, (for ye voter can poll but once) and then whoever makes ye return, (but let him to whom ye precept is delivered be sure to make one) the Return will be probably the same.

RICHD LLOYD
 Chancery Lane (£3.3.0)
 Apr : 22 : 1741."

- Q. "Is it absolutely necessary to return the precept to the Sheriff. If necessary must the Indentures of return be annexed to



THE NEW GATEWAY FROM THE COLLEGE, 1809.



WEST VIEW OF CASTLE FROM FITZALAN CHAPEL, 1809.

the precept and what Addition may be proper for the Senior Burgess to stile himself with in the Indentures, Vizt. as Senior Burgess presiding as Mayor or how otherwise.

- A. The precept must be returned to ye Sheriff, ye Senior Burgess must stile himselve *such* for he is not Mayor but in place of the Mayor.

RICHD LLOYD

Chancery Lane (£1.1.0)

Apr : 22 : 1741."

The "School House" annexe to the Fitzalan Chapel at its north-east corner. Previously it had been the Sacristy of the Chapel; but, at some date subsequent to the dissolution of the College, it had been appropriated for use as a school. In, or about, 1692, the old Town Hall, which stood in what is now the Market Square, had, owing to the neglect of the corporation, become so dilapidated that it had been pulled down. Unable or unwilling to rebuild it the corporation, without fee or acknowledgment, appropriated the use of this "School House" for its annual meeting, and continued to meet there, for this purpose, until 1833, when it surrendered its "rights" in the room as part of the agreement made with Bernard-Edward, Duke of Norfolk in that year.

But the questionable methods employed at parliamentary elections revealed in the questions submitted to Counsel were slight in comparison with the wholesale bribery of the voter prevalent at this period. Thus, when Sir George Colebrook was returned in 1754 the account of his "disbursements" records the names of only eight persons who declined to accept anything, while five received £30 apiece, one £20 10s., one "since dead" £5 5s., and 142 £15 each. Sir George headed the poll with 129 votes.

The year 1751 saw the corporation once more involved in legal proceedings over the vexed question of the proper election of a mayor. In 1749, Thomas Birch had been elected to the office. At the end of his term no election was held and he continued to act for the ensuing year. Thereupon, Thomas Holmes Tidy, a member

of the corporation applied to the King's Bench for a mandamus. Confident of its ability successfully to oppose the suit, the corporation spent £71 11s. in preliminary legal expenses. Tidy, however, went no further with the matter, and the corporation, deciding that he had "attempted to Subvert the Antient and Known Usage of this Borough in regard to the election of Mayor and to Introduce and Establish a New Custom, but has not proceeded to take out such Mandamus but only to perplex and disturb the peace quiet and good-order of the said Corporation," called upon him to pay his share of their bill of costs. This he, and another member, Charles Collins, refused to do, with the result that they were deprived of their share in the Brooks.

On May 24, 1759, the "Mayor and Burgesses" granted a lease, for ninety-nine years, at a rent of 2s. 6d. per annum, to "the two churchwardens and overseers of the parish of Arundel of a piece of Land in Road Ditch ¹—to build a Rest-house ²—and a well may be digged there." The building is still in existence, half-way up Poor-house Hill: it is now used as a club.

It would appear, from a corporation minute of 1769, that it was the custom for one of the overseers of the poor to be a member of the corporation:

"Whereas Mr. Alleyn Groome late Mayor . . . ought by his turn to serve the office of Overseer of the Poor . . . and was appointed so at a Vestry held on Easter Monday. Notwithstanding which he hath applyed to and prevailed on the Justices . . . to appoint John Roberts, a person not belonging to this Corporation . . . Which proceedings . . . we . . . do hereby disapprove of and protest against and do order that the said Mr. Alleyn Groome do immediately apply to the said Justices to gett such appointment of the said John Roberts superseded and procure himself to be appointed . . ."

About this time, the corporation was laudably concerned over the increasing encroachments on the streets by private

¹ Corruption for "Rhodes Ditch."

² Poor-house.

houses. In the following case, submitted to counsel in December, 1766, and January, 1767, an insight is given into the matter, and a good deal of light thrown on certain of the customs prevailing in the town at this period.

1766

Street
Encroach-
ments

“The Borough of Arundel . . . is an antient Borough by prescription consisting of a Mayor and an indefinite number of Burgesses not exceeding twelve. The Mayor is chosen yearly by the Inhabitants paying Scott and Lott at the Court Leet of the Duke of Norfolk who also is Lord of the Manor. The Mayor and Burgesses have beyond the memory of man been entitled to all profits of Fairs and Markets and receive all Tolls and other payments for erecting Stalls in any part of the Borough at such fairs and markets and do pay the Duke of Norfolk an annual sum of £6.0.2½ for the same which in the Duke’s Rentall is called for the common fine upon Shops the liberty of pounding Cattle Burgesses Brooks pickage and Stallage Furnace money and two Serjeants at Mace which annual sum is collected and paid to his Grace by two officers under the Mayor also chosen at the Court Leet called Portreeves one of which is a Burgess the other chosen from the Commonalty who are properly Clerks of the Market and have the care of the weights and measures see that bread and other provisions are of proper weights regulate the Fairs and Markets and receive all pickage and stallage and Tolls etc. And the surface of the Streets and highways have always been supposed to belong to the Mayor and Corporation for the business of pickage and stallage on any part thereof. But of late years the Inhabitants of the Borough have made a practice of extending their houses farther into the Streets and erecting sheds and bow windows beyond the usual bounds of their houses So that in time if a stop is not put to the practice the whole street will be built upon and scarce a highway left for the passengers to pass and repass.

In the summer of 1766 The house of one Harry Boxold in the high street being old and in bad repair he began to new face it. The old front was of timber pannelled and constructed in such a manner that the second floor overhung the ground floor 2ft. 2ins. and when he pulled down the old front of the ground floor he supported ye second floor which overhung and began digging the foundations for his own front so much beyond the foundations of the old front as to bring the ground floor not only even with the second floor but to exceed the second floor so far that when his lower building reached the second floor it might case in the second floor inches thick and make a straight upright frame without taking down any part of the old frame of the second floor except the windows which were of the old fashioned sort and as well as

the windows of the ground floor projected beyond the surface of the building so that he has encroached upon ye high street beyond the bounds of his old house in breadth 2 feet 2 inches and in length about 28 ft. 9 inches.

As soon as this encroachment was observed by the Mayor and Burgesses they sent their Serjeants to him and told him he was doing what he could not justifie and that if he proceeded to build his frame as he had begun they wou'd make him pull it down again and advised him to desist he insisted he had a right to extend his front into the street even with the Eves of his house and though the Mayor and Corporation in person condescended to advise him not to proceed for that they would not submit to his encroachment he set the Corporation at Defiance swore he would and accordingly has finished his new frame in the manner before set forth and has taken up the ground belonging to the Corporation 2 foot 2 inches in breadth and 28 foot 9 inches in Length.

Query Can the Mayor and Burgesses as this case is circumstanced prefer a Bill of Indictment against the same Boxold at the next Assizes to be held for ye County of Sussex for the encroachment and Infringement on the rights of the Corporation or generally as a nuisance to the King's subjects and what evidence will be proper to support such Indictment or what other method will be most advisable for the Mayor and Burgesses to take to support their rights punish the persone offending and prevent the like for the future as it seems to be a growing evil.

Note it is the Custom of the people of Arundel to pave the Street before their own doors from the foot of the walls of their houses to the Kennel the middle of ye high street and whether the right of the Corporation as stated in this case under the tenure from the Duke of Norfolk is sufficient for them to maintain an Action Independent of the Duke.

Answer Upon the state of this case I apprehend that the Corporation has no more than a prescriptive right to the Tolls and other profits of fairs and markets and only the use of the streets (which certainly are a highway) for the particular business of Pickage and Stallage, but that the property of the Soil in the Streets is in the Lord of the Manor and therefore I am of opinion that the Corporation cannot maintain an action of Trespass against Boxold. But their proper and indeed only remedy is by presentment in the Leet, or Indictment at ye Assizes or Sessions (as shall be thought most advisable) of this encroachment as a publick Nuisance . . ."

T. BURRELL
Lincolns Inn
28: Jan. 1767."

Which course the corporation adopted, and with what

result has not been recorded. A real effort, however, to
 1773 deal with the cramped condition of the lower
 The Market Square portion of High Street was made in 1773. In
 that year, Sir John Shelley, fifth Bart. of his
 family, of Michelgrove, purchased from John Moore, of
 Arundel, the lease of "a Tenement or Shop near the
 Butcher's Shambles," which had been leased to the latter,
 in 1771, by the Mayor and Burgesses for ninety-nine years,
 at a rental of 30s. per annum, and from Thomas Denham,
 also of Arundel, the lease of "a piece of ground" on which
 Thomas Denham had covenanted with the corporation to
 build "a House or Shop." The object of the purchases
 being to pull down the existing buildings "so that there
 may be an open space where these Buildings now stand
 not only for the conveniency of the Inhabitants, but for
 ornament to the Town." This was duly carried out,
 Sir John Shelley granting the corporation a perpetual
 rent-charge of 30s. per annum in lieu of Moore's rent, and
 42s. per annum in lieu of Denham's rent, both sums being
 secured on his adjacent property, "The Crown Inn." At
 the same time, and with the same object in view, the
 Duke of Norfolk pulled down "the House lately occupied
 by John Crompton decd.": so that by September, 1773,
 the corporation were able to record "all which Storehouse
 and Buildings as well as those belonging to ye Mayor and
 Burgesses" (which would include any remains then existing
 of the old Town Hall) "have been pulled down and the
 materials removed and the pavements made good and the
 proper Boundstones put down and completed." The result
 of these demolitions was to provide the open space now
 known as the Market Square, the paved portion of which
 probably represents the site on which the buildings
 stood, its margin corresponding with the "Boundstones"
 mentioned.

In 1771, Sir John Shelley, fourth Bart., had "purchased at
 Arundel of different persons as many dwelling-houses as
 requires 109 Tenants to inhabit and cost him near £20,000,
 mostly freehold and some few Coppyh'd." ¹ This earlier

¹ *Diary of John Tompkins.*

purchase had been made for electioneering purposes ; the following extract explaining the position of the contending parties at the time.

" 1771

- | | |
|--------------------------------|---|
| May | 7, Tuesday—Mr. Macleane, one of the Members for the Borough of Arundel, came to Town and began to treat all the Voters. |
| 1771 | |
| Parliamentary Election Customs | 8, Wednesday—The Parliament ended their Sessions for this year. |
| | 9, Thursday—Mr. Macleane left Arundel and sett out for London. |
| | 10, Friday—Mr. Shelley came this morning to Arundel and Canvasses the Town in favour of Mr. . . . Mackreth, who attended him his Friend, and offer'd him as Candidate to succeed Mr. Macleane, who the last day of the Sessions had vacated his seat in the House of Commons by his accepting of the King the Stewardship or Bayliffship of the 3 Chiltern hundreds in Buckinghamshire. Mr. Macleane returned from London and afterwards sett out for Steyning in order to meet Sir George Colebrooke and Mr. John Stewart, who was recommended by Mr. Macleane to the Town as Candidate to succeed him. Between 8 and 9 o'clock this evening arrived in Town Sir George Colebrooke, Mr. Macleane, Mr. John Stewart, . . . and treated thewhole town with wine and punch while Mr. Shelley invited all the voters to drink Mr. Mackreth's health at the Crown Inn, whereas Sir George Colebrooke and his Company had putt up at the George Inn. Mr. John Stewart brought down with him from Mr. Ellis, the Deputy Sheriff, the writ to Mr. John Hills, the Mayor, for ye Election of a member to succeed Mr. Macleane, who thereupon appointed the Election to be on the next Monday at ten in the morning. |
| | 11, Saturday—Colonel Leeland arrived at Arundel, being sent by the Duke of Richmond to offer himself Candidate at the ensuing Election. It is said he could obtain but one vote, that is Thomas Fowler Esq. |
| | 13, Monday—Mr. Shelley finding that Mr. Macleane by his early application to the Town had obtain'd a promise of 120 votes out of 169, many of whom did not expect Mr. Shelley wou'd offer a friend to them as Candidate at the Election, therefore Mr. Shelley declared publicly that in order to restore |

peace to the Town he advised Thomas Mackreth, Esq., his friend, to decline the poll and left his friends to the number of about 30 in case of a poll to vote for whom they pleased and declared to all that when any vacancy for a Member shall happen in the Town he will not fail to recommend a friend of his as Candidate. Accordingly Mr. Shelley and Mr. Mackreth left the Town a little before the time of the Election. When and after Mr. Carleton, the Recorder, in the hearing of the Court had read the Act of Parliament, &c., Colonel Leeland having appeared with the other Candidate John Stewart, Esq., declared that he declined the poll and after 3 proclamations if any other Candidate wou'd offer, and as none appeared, the voters being assembled, declared John Stewart, Esq., their Member, who was accordingly return'd by the mayor on the Shambles as usual.

- July 18, Thursday—Mr. Macleane, our late Member for Arundel came to Town and treated ye whole Town with wine and punch at ye Crown Inn and ye next day canvassed the whole Town in the name of Sir George Colebrooke, Bart, and himself for ye favour of their votes at ye next General Election. (This day Mrs. Shelley, the wife of the Rt. Honble John Shelley, Esq, completed her 23rd. year of age.)
- Sept. 6, Friday—The Rt. Honble Sir John Shelley, Bart., invited his friends in the Borough of Arundel to the sign of ye Crown and drank his health and returned in the evening to Michelgrove (and canvassed the Town to ask for votes.)
- 12, Saturday—Sir George Colebrooke, Bart., his lady and Miss Emma Colebrooke, their niece, accompanied by Mr. Macleane, arrived in Arundel and drove up to the Castle where they lodged.
- 14, Monday—Mr. Stewart, the other of our present Members, arrived from London, and likewise drove up to the Castle and with Sir George Colebrooke and Mr. Macleane canvassed the Town to ask for votes.
- 15, Tuesday—By the invitation of my Lady Colebrooke all the Inhabitants of the Town, with their wives and daughters who chused to dance or play at Cards were present at the Ball in the Castle and were treated with Tea, Coffee, and Negus. There were present upwards of 50. Couple that danced, besides five Card tables filled. The musick were 3 violins, 2 Hautboys, and one fife.

- Sept. 16, Wednesday—All the Company sett out from the Castle and left the Town about noon.
- Dec. 18, Wednesday—Sir John Shelley, Bart., in the Course of the year 1771 has purchased at Arundel of different persons as many Dwellinghouses as requires 109 Tenants to inhabit and cost him near
 1772 £20,000, mostly freehold and some few Coppyh'd.
- April 7, Tuesday—George Woodall, in the name of the Member of Parliament for Arundel chosen last year at a single Election on Mr. Macleane his having vacated his Seat, made a present to all his friends of 7 guineas each.
- 1774 Sept. 19, Monday—Mr. George Lewis Newnham and Mr. Brand, the first by the recommendation of the Rt. Honble Sir John Shelley, Bart., and the latter by the recommendation of his Grace the Duke of Norfolk, came this day to Arundel and after having canvas'd the Town jointly with Sir Shelley gave a Dinner both at the George and the Crown Inn to all the Inhabitants of the Borough who are Voters and treated them most plentifully with Wine and Punch, &c. The same day after these two above named Gentlemen had canvassed the Town as Candidates for Members of Parliament for this Borough, Mr. John Stewart, one of our Members in the late Parliament came to Arundel and declared he wou'd proceed to canvass the Town as a Candidate but did not and after two or three days left the Town, and the Parliamt being suddenly dissolved and a Proclamtn from the King's Majesty being issued for ye Calling a New Parliament, Mr. Newnham, ye 2nd. Octo. came again to Arundel and was joined by Sir John Shelley on his way from Bath ; whereas Mr. Brand did not return to Arundel till
- Oct. 7, Friday—This day Mr. Thomas Brand and Mr. George Lewis Newnham, of New Timber, were unanimously Chosen the two Members of Parliamt for the Borough of Arundel and returned per John Tompkins, Mayor."

From this it would appear that the long struggle between the rival political parties, dominated respectively by the Dukes of Norfolk and the Shelley family, was amicably settled by a compromise, in which the representation of the borough was divided between them.

CHAPTER XVI

Address to George III—Fitzalan Chapel—The Buckfeast—Paving, Lighting and Cleansing Act—Restorations at the Castle—New Road to London—The New Park—The Ancient Vicarage—Loss of one Member—The Boundary Bill—Sidewalks added to the Bridge—The Corporation reformed—Visit of Queen Victoria.

THE Parliament of 1774 earned for itself the unenviable distinction of being the subservient instrument by which George III, obstinately pursuing his vain and intolerant policy, drove the American Colonies into rebellion. "The die," he wrote triumphantly to his minister, "is cast. The Colonies must either triumph or submit."¹ Actual hostilities opened in April, 1775. In October of that year, the corporation at Arundel, blessed with a narrowness of mind worthy of their royal master, "presented to His Majesty by George Lewis Newnham, Esq., one of their Representatives in Parliament," the following fulsome address: "Which Address His Majesty was pleased to receive very graciously":

1775 "To the King's Most Excellent Majesty.
The humble Address of the Mayor, Aldermen, and Inhabitants of the Borough and Town of Arundel.
Address to George III We, your Majesty's most dutiful and loyal Subjects, the Mayor, Aldermen, and Inhabitants of the Borough and Town of Arundell, impressed with the liveliest Sense of the Blessings we have enjoyed during your mild and equitable Reign, and struck with Horror at the unnatural and daring Rebellion into which your Majesty's infatuated American Colonies have suffered themselves to be deluded, respectfully beg leave to approach the Throne with the Warmest Assurances of our Fidelity and Allegiance.

¹ Green, *Hist. of the Eng. People*, p. 1697.

At a time when your Majesty's Sovereign Rights, the Authority of Parliament, and the natural Ties which ought to bind your Majesty's extensive Dominions in a Band of Union, are traiterously set at nought, it becomes the Duty of all good Subjects to vie with each other in supporting the Dignity of the Throne, and the Legislature of Great Britain, with their Lives and Fortunes. We therefore, with all Humility, assure your Majesty, that though many Corporate Towns may surpass this Borough in Point of Opulence, none can surpass it in steady and determined Attachment to your Royal Person, in Zeal for the Constitution, or in Wishes, that the Crown of these Realms may be transmitted, undiminished in Lustre or in Power, to the latest Descendants of a King, who has paid so just and equal an Attention to the Laws of the Land, to the Privileges of the Crown, and to the Liberties and Happiness of his People. Given under the Common Seal of Arundell, and signed by the Mayor, Aldermen and Inhabitants, this Seventeenth Day of October 1775."

That there was, however, one at least in the ancient borough who viewed the matter in its proper light is clear from the following extract from a document, still preserved among the corporation papers :

Samuel
Cobby's
Address

"A Copy of an Address his M—j—y was not pleased to receive very graciously—Oct. 31, 1775.

I, your Majesty's most dutiful and loyal subject Samuel Cobby,¹ Master of the Horse to Galen Betula Esq.,² an Inhabitant of the Borough of Arundel . . . struck with horror at seeing zealous Protestants nobly struggling in a vertuous cause, vindicating the noble rights of Man and with their blood endeavouring to preserve that freedom we meanly compliment away. . . .

May your Majesty at some period far remote transmit your Crown to posterity undiminished in lustre or power, bearing ever in remembrance that its lustre depends on the Happiness of the people, and its power on their affections. And to give the most unshaken proof of a Loyalty which knows how much the greatness of a King consists in the Liberty of the subject I will add this fervent prayer, May you never reign but over a free people . . . May your Arms in America meet with every success the Justice of the Cause, the Wisdom of the Ministry, and the Importance of our Address can entitle them to."

Edward, Duke of Norfolk, died without issue, at Norfolk

¹ This name appears in a poll list of the borough about this date.

² A play on the name of Dr. Birch, a prominent member of the corporation at the time.

House, on September 20, 1777, in the ninety-second year of his age. He was buried in the east vault of the Fitzalan Chapel. At his death the principal succession passed to his cousin, Charles Howard, grandson of Charles Howard, Baron Greystoke, fourth son of Henry-Frederick, twenty-fifth Earl of Arundel.

1777
Death of Edward, Duke of Norfolk

Charles, tenth Duke of Norfolk and thirty-first Earl of Arundel, had, previous to his succession to the dukedom, devoted himself chiefly to literature; and, while thus engaged, had published several works dealing with religion, political matters and the records of the Howard family. In 1782, his attention was called to the condition of the Fitzalan Chapel. This building had suffered much during the Civil War: its state in 1702 appears from the following extract:

1782
Fitzalan Chapel

“The chancells at Arondell lye very indecently. It rains into the great chancell, and the roof thereof is, some of it, fallen downe, and the rest will quickly follow, if not repair’d and kept dry. ’Tis a thousand pities, being the finest thing, one of them, in that kind, I ever saw.”¹

Its Ancient Roof Removed

The partial decay of the roof—or more probably the value of the lead contained in it—induced certain of those in the employ of the Duke to represent to him, in 1782, that the timber had fallen into so dangerous a state as to demand complete removal. The Duke unfortunately accepted this advice, and the work of demolition was forthwith begun. The lead was stripped off and the ancient parapet thrown down; the carved timber frame, notwithstanding that it was only decayed in parts, was ruthlessly torn from the walls or cut from its supporters, and the whole of the debris was suffered to pitch at random on whatever might chance to lie beneath. “Beam after beam was thus plunged from the extreme height of the chapel: the stalls were crushed: the tombs were shattered; and the floor itself, which is laid over the vaults, was, in many instances, broken and forced in. A

¹ MS. Survey A°. 1702, at Arundel Castle, p. 5.

modern slated covering, without parapets, was now substituted for the ancient roof: and the conversion of the chapel into a temporary workshop, a few years later, by enabling the workmen to purloin the brass ornaments that still remained, completed the desolation of the edifice.”¹

1783

Restoration
of the Castle

In the following year, the Duke turned his attention to the further restoration of the Castle; and an Act, 23 Geo. 3, was passed to allocate certain monies for this and other purposes. In order to understand the facility with which this was obtained it is necessary to recall that, by an Act passed in 1628 for the purpose of entailing the Castle, with other possessions, on the descendants of Thomas Fitzalan, twenty-fourth Earl of Arundel, it had been provided that the term of all leases to be granted on the property in the parish of St. Clement Danes, London, should be limited to twenty-one years.² In 1671, however, the term was, by another Act, extended to sixty years, subject to the condition, that whatever increase this alteration might produce in the amount of the renewal fines should be expended in the improvement of the entailed property. Taking advantage of this condition, Charles, Duke of Norfolk, requested that a portion of this money should be devoted to the restoration of the Castle. The result of his application was the Act of 1783, by which a sum of £5,000 was reserved from the fines for “the effectual and substantial repair, support and improvement of the said Castle.”³

The total amount of the fines received under this Act was £35,308; of this sum £7,223 1s. 9d. was allocated “To finish the Norfolk Arms Inn, then erecting ‘upon the site of several old, ruinous and decayed buildings,’ and to discharge whatever monies had already been expended on the same.”⁴

¹ Tierney, p. 622.

² See Appendix VI.

³ The popular notion that the rents of the estate in the Strand must necessarily be employed in supporting or improving the Castle of Arundel evidently originates in an imperfect knowledge of the provisions of this Act. Tierney, p. 81, note.

⁴ Tierney, p. 81, note.



COURTYARD, MID-NINETEENTH CENTURY.



GARDENS, MID-NINETEENTH CENTURY.

The Duke did not, however, live to see the restoration of the Castle carried into execution. He died in 1786 and the fulfilment of his plans was left to his son and successor.

Mention may here be made of the annual **The Buckfeast** "Buckfeast"; the corporation records for this period containing several references to it, e.g.:

"1779 Mr. Blanch's Bill £9.1.5 for the Buckfeast
Mr. John Holmes Mayor to Geo. Blanch

		£	s.	d.
Aug. 31	To Dinners	2	2	0
	„ Punch	13	6	
	„ Port	2	2	0
	„ Madira	1	2	0
	„ Negus	13	4	
	„ Beer @ Dinner	6	3	
	„ Tea & Coffee	17	10	
	„ Cards	7	6	
	„ Frute	3	6	
	„ Suppers	9	0	
	„ Beer @ Supper	4	6	
		<hr/>		
		9.1.5		

The dinner was held in August each year at the Norfolk arms; the Buck being a gift from the Lord of the Manor to the Mayor and Corporation. By whom, or when, this custom was first instituted is not known; it fell into abeyance in 1831, when the corporation resolved that it be discontinued, owing to the expense having "of late and particularly the last year, during the Mayoralty of Mr. George Augustus Coombe, so much increased."

The condition of the streets of the borough has already been alluded to in connexion with Boxold's encroachment in 1766. But encroachments were by no means the only, or even the chief, source of street nuisances in existence at this time. The rolls of the Court leet contain frequent "presentments" against those who failed to keep that portion of the street which lay opposite their houses in repair, or who made it the depository of trade and household refuse: no proper system of lighting existed: horses were shod and turned loose in the streets; and legitimate traffic was further obstructed by rings of spec-

**Condition
of the Streets**

tators engaged in watching the popular sport of cockfighting.

1785
**Paving,
Lighting and
Cleansing
Act** To remedy these nuisances, an Act of Parliament, 25 Geo. 3, "For the better Paving, Cleansing, and Lighting the Streets, Lanes, Ways and Passages within the Borough of Arundel, in the County of Sussex; and for removing and preventing Incroachments, Obstructions, and Annoyances there in," was passed in 1785. By it, commissioners were appointed to carry out the Act: they were directed to meet at "George Blanch's at the Norfolk Arms," rates, not to exceed 1s. in the £ for High Street, 9d. for Old Market Street and Tarrant Street, and 4d. for other streets and lanes, were fixed; and every inhabitant was bound, under a penalty of 45s. to sweep the pavement in front of his house each day between 6 and 10 a.m., except Sundays.¹ For the purposes of the Act, a Survey of the streets was prepared in the form of a plan. Frequent reference will be made to this Survey when dealing with the far-reaching alteration effected in the northern boundary of the town early in the nineteenth century.

1786
**Charles
Howard
(1786-1815)** The restoration of the Castle, projected by the Duke of Norfolk, devolved, at his death in 1786, on his son, Charles, thirty-second Earl of Arundel.²
1791
**Restoration
of the Castle** Operations were not, however, commenced until 1791; when the eastern tower was raised, an upper storey to the south front added and the square sashes of the first floor replaced by pointed windows. This was followed, in 1795, by extensive alterations and additions to the north-west front, and, in 1801, by the erection of the north-east wing. A Baron's Hall and Chapel, the predecessors of the present buildings, were begun in 1806, and, in 1809, the foundations of a new Gateway were laid.

1809
**The New
Gateway** The latter was placed at a point south of the ancient Gatehouse. It consisted of a pointed arch, flanked by two

¹ The "channel," or "kennel" ran, at this period, along the centre of the street: hence, as there were no sidewalks, the "pavement" included, on each side, the whole of the area from the house front to the "kennel."

² Popularly known as "The Jockey Duke."

hexagonal towers, through the upper part of which communication was effected, along the walls, between the Castle and the Keep. The original intention was to encircle the upper part of these towers with an external gallery; but the design was never perfected. It is said that the total destruction of the ancient Gateway was seriously contemplated at the time, on the advice of Hiorne,¹ the architect in charge of the restoration!

The rebuilding of the Castle was, however, a portion only of an extensive policy for the permanent improvement of its general amenities. To appreciate this it is necessary to review the immediate surroundings of the Castle at the time. With the exception of its courtyard and the area enclosed by the ramparts, it was destitute of private pleasure grounds of any sort or kind: the coach road to London passed within a few yards of its entrance and

**Immediate
Surroundings
of the Castle**

traversed the western portion of the Little Park from south to north: the road to Swanbourne and South Stoke—the old Mill Lane—ran directly under its south front and on beneath the east wing: the bowling-green of the town lay in close proximity to its south-west angle: the houses on the east side of High Street extended right up to the entrance gate and their backs looked straight into its west front: the more adjacent portion of the valley was occupied by the Burgesses Brooks; while the ground to the north of the Little Park, containing an extensive rabbit-warren called “Pugh Dean,” was the property of the Earl of Newburgh, on whom it

had devolved with the other possessions of the Kemps. The Castle was thus hemmed in on all sides by public ways or by the property of others. Reference to the plan of 1785 demonstrates many of these points; and also shows the presence of houses and gardens along the north side of the coach road between the entrance to the Castle and Mary-gate.

¹ The triangular building, known as “Hiorne’s Tower,” which stands within the Park a short distance from its south entrance, was designed and built under the superintendence of this architect. It is said that he erected it in response to an order from the Duke, who wished to see an example of his style before commissioning him to undertake the restoration of the Castle.

The first step taken by Charles, Duke of Norfolk, in pursuance of his policy of improving the immediate surroundings of the Castle, was to acquire, in 1797, from the Earl of Newburgh and from Sir George Thomas of Dale Park, partly by exchange and partly by purchase, "Pugh Dean" and the manors of South Stoke and Houghton. This was followed in 1803 by an arrangement, embodied in an Act of Parliament, 43 Geo. 3, whereby he undertook, at his sole expense, to build, along a more westerly line, a new road from High Street to the junction of the Petworth and Pulborough roads at Whiteways in return for the transfer to him of the old or more easterly road.

1797
First Steps
Towards
Improvement

1803
New Road to
London

The formation of the New Park immediately followed the completion of these transactions: the whole of the ground obtained, with all that intervened between it and the Little Park, was enclosed, the rabbit-warren was destroyed, the hills were planted, the old London road, part of which may still be traced, was shut up, and a few years later the whole space, including upwards of 11,000 acres, was protected by a strong flint wall and lodges, and stocked with about a thousand head of deer. The ancient park was now converted into a farm. The next step was taken in 1810. It will be seen, from the plan of 1785, that a short lane or street ran from Marygate to the way connecting Farmer's and Pannett's Pond Lanes. The ground which lay between this short lane and the Church of St. Nicholas was occupied by a few dwelling-houses, the chief of which was the remains of the ancient vicarage with its farmyard and outbuildings. Its partial destruction, in 1784, is recorded in the diary of the Rev. W. Groome, Vicar of Arundel from 1786 to 1811:

The Ancient
Vicarage

"Novr. 11th, 1784.

My Vicarage house at Arundel blown partly down by a high wind about 9 o'clock in the evening; very tempestuous weather. Novr. 22.

Went from Arundel to Sompting with my family on account of my Vicarage house being blown down." ¹

¹ *Lyminster Parish and Church*, by E. Carleton Holmes.



OLD BUTCHER'S SHOP.



HIGH STREET, 1871.

On July 20, 1785, Mr. Groome returned to Arundel, where he rented "Pannet's Pond House" as a residence until 1810, when, in exchange for a commodious dwelling-
Is
Exchanged
house on the south side of the new road to London, he surrendered to the Duke what was left of the old vicarage.

This exchange enabled the Duke to shut up the short lane leading south from Mary-gate, if, indeed, this had not already been carried out when the old road to London was closed; but, more important still, it made it possible for him to erect a high wall along the north side of the new road westwards, thereby securing the privacy of the grounds in that direction. It is probable that Mary-gate itself passed into his possession as an appurtenance of the old road at or about the same time: but, however acquired, its acquisition must be regarded as a matter for general congratulation; the ravages of time had supplemented the partial demolition it had sustained at the close of the Civil War, and, had what still remained of it continued the property of the town, it would, in all likelihood, have shared the fate of the "Water-gate," of which no vestige now exists. Shortly after he obtained possession, the Duke restored Mary-gate as we know it to-day. Recently a portion of the rampart on its east side has been rebuilt by the late owner; but the ancient steps, which gave access to the "Chapel over the Gate," still present the dilapidated appearance described by Tierney.

To this policy of improvement, initiated by Charles, Duke of Norfolk, and consistently carried out by his successors, the Castle owes the chief amenities of its present surroundings. His death, in 1815, postponed
1815
the logical completion of the work he had begun.

The first half of the nineteenth century witnessed many important changes in the borough of Arundel.
Prosperity of
the Town
During the earliest portion of this period the town may be said to have reached the zenith of its material prosperity. Improvements in the harbour of Littlehampton, in 1798, had made the river navigable, as far as Arundel Bridge, for vessels of more than two hundred tons

burthen ; while the erection of the borough into a bonding port in 1817 had added to its importance. The population rose from 2,188 in 1811 to 2803 in 1831 ; the number of houses from 404 to 537, and the Poor-rates from £1,302 11s. 6d. to £1,631 19s. 10d., the fine on admission to the corporation reached £105 : many persons of independent means became permanent residents : a theatre ¹ was opened in Old Market Street, and a regular winter season, during which the nobility and gentry of the neighbourhood occupied houses in the town, became so fashionable that Brighton, as a residence, was considered dull in comparison. The general prosperity of the time is reflected in the following resolution of the corporation :

“ Arundel Borough. At the house of Thomas Shaft Esquire on the 3d day of October 1818 . . .

“ That, in future, . . . the mayor of Arundel do out of his own monies, pay the following necessary expenditures, namely,

	£	s.	d.
The serjeant's wages besides their cloaks	4	0	0
To the keeper of the park when the buck is presented .	1	1	0
To women when they strew (anglice, pelt) the new mayor	1	0	0
To ringers when they ring on the election of a new mayor	1	0	0
To carriers when the new mayor is carried ² . . .	1	0	0

To the inhabitants 10s. of beer at each public house, except the house where the mayor and jury dine on that day.

Four handsome dinners during the year, the three first being to the burgesses and officers of the corporation (except deputy officers) and the last being on mayor chusing day and including the jury on that day, and not exceeding seven other persons, if any should be deemed proper to be invited, by the mayor.

It is ordered that in future the annual settlement of the mayor's rents and accounts be made on the second Friday in January in every year ; the mayor providing the usual supper on the occasion, and that after the next settlement in January next, (when a debt due for the repairs of the church and a gratuitous contrabution by the corporation for an organ in the church is to be paid) the mayor be paid out of the funds of the corporation the sum of one hundred pounds and that he be also entitled to receive all the key dues and

¹ “ Last year ” (1807) “ Mr. Thornton built the Theatre at Arundel adjoining my Mother's house Cost £1,300 on leasehold ground for 60 years.” *Diary of John Tompkins.*

² The chair is still used by the mayor at meetings of the council.

other river dues due to the mayor and corporation during the year of his serving the office of mayor.

That the annual buck dinner be continued at the expence of the corporation and that each member of the corporation be at liberty to invite one friend thereat and the mayor six friends including the Duke of Norfolk stewards and the clergyman."

1831

But, soon after 1831, the first signs of decay became manifest ; the number of ships belonging to the port, which in 1821 had numbered forty-five, fell to thirty-three, and the exports, which had consisted of Oak Timber, Plank, and Treenails, with Ship's provisions, to Ship's provisions only. This falling off was in part due to the growth of Littlehampton, and in part to causes which were gradually transferring power and importance from the smaller to the larger towns. This change irresistibly led

1832

Reform Act
The Borough
Loses one
Member

Boundary
Bill

to the demand for a redistribution of Parliamentary seats, a demand which found expression in the Reform Bill of 1832. By this measure Arundel, which since 1295 had returned two members, lost half its representation. It was proposed at the same time, in the Boundary Bill, to include a portion of Littlehampton for electoral purposes. This, if carried out, would have thrown the return of the remaining representative for Arundel into the hands of the Duke of Norfolk, since he owned practically every house in the area which it was proposed to add. Petitions against this proposed alteration were accordingly presented to both Houses of Parliament by the corporation.¹

Is Resisted
Successfully

Success attended its efforts, so that when, on July 11, 1832, the Boundary Act received the Royal assent the ancient limits of the borough of Arundel were left undisturbed.

Sidewalks
added to the
Bridge

About this time a fortunate accident led to the much-needed addition of sidewalks to the bridge over the river. William Holmes, Mayor (and, as such, Bridge Warden), in 1830, and 1831, expended for this purpose a sum of £592 15s. 11d., being a surplus in the hands of the Trustees of the Arundel Savings Bank, and which it was supposed could be so used. Subsequently, however,

¹ Appendix VII.

after much litigation, and eventually by a decision in the House of Lords (*Holmes v. Henty and others*) it was decided that it was not so available, the consequence being that the Mayor was obliged to refund the money expended, pay all the costs of the legal proceedings and the balance of the contract for the widening and repairing, out of his own pocket, a sum which amounted altogether to over £1,500. The only satisfaction he ever received was a Memorial, signed by the Earl of Surrey (afterwards Henry Charles, thirteenth Duke of Norfolk), Lord Dudley Coutts Stuart, M.P. for the borough, and upwards of a hundred of the principal inhabitants, thanking him for what he had done for the town.¹ The application of the motto, "Be true and just in all your dealings," inscribed on the south-west corner of the bridge, has been variously explained; possibly it was intended by the builder as a reminder to those among his colleagues at the Savings Bank, who, after authorizing the expenditure, left him to bear the cost. At a later date acute differences with the corporation, on other matters, led him to sign himself, "Your again and again injured and insulted, William Holmes."

Bernard-
Edward
Howard
(1815-1842)
33rd Earl

1833

As has already been stated, the death of Charles, Duke of Norfolk, in 1815 led to the postponement of the completion of his plans for improving the surroundings of the Castle. But, about 1833, a great step forward, in this direction, was accomplished by his successor, Bernard-Edward, great-grandson of Bernard, eighth son to Henry-Frederick, twenty-five Earl of Arundel.² It will be remembered that, in or about 1692, the corporation acquired the right to use, for its annual meeting, the sacristy of the Fitzalan Chapel, otherwise known as the "School House." Access to this

¹ *Lyminster Parish and Church*, Holmes.

² "Aug. 11th. 1828.—A delightful drive to Arundel, the outside of which, grounds, &c., have been made perfect by our Barny³ (who was not there); but the devil himself could make nothing of the interior. Anything so horrid and dark and frightful in all things I never beheld." Maxwell, *The Creevey Papers*, vol. ii, 162.

³ The twelfth Duke of Norfolk.

room constituted a right to use that portion of the old London road leading from High Street to the Church. In 1833, however, the corporation agreed to surrender its rights in the "School House" and the piece of road in question, in return for a new Town Hall and a piece of ground near to the south door of the Church, for the purpose of enlarging the churchyard. This exchange made it possible to place the entrance to the Castle grounds at the north end of High Street, west of the old London road, and thus to complete the privacy of the grounds in that direction.

The New Town Hall The site selected for the new Town Hall was to the south of the Market Square, i.e., south of the spot on which the old "Court House" had stood. In order to clear the site it was necessary to purchase several buildings. Unfortunately, however, one owner obstinately refused to sell, with the result that a much less suitable position, at the east end of old Market Street, or Maltravers Street as it was now called, was finally chosen. On this spot the new Town Hall was erected by the Duke of Norfolk. It was completed about 1836, but the deed of conveyance was not executed until June, 1848.

1834
The Town Pump In 1834 Lord Dudley Coutts Stuart,¹ M.P. for the borough, presented the Town Pump which stands in the Market Square, and which raises the water from Hamper's Well; an inscription on it, recording the gift, may still be read.²

1835
The Municipal Corporations Act
The Corporation Reformed The passing of the Municipal Corporations Act, in 1835, brought about a complete reconstitution of the borough council. This law terminated the existence of the old corporation, together with its privileges, perquisites and abuses. The ancient right to elect the council was restored to the ratepayers; fines on admission became illegal; quarterly meetings were made compulsory; the rents of corporate land were raised to their proper level, and all monies from

¹ See Appendix VIII.

² The Pump was removed in 1921, when the War Memorial Cross was erected.

this source, together with all dues, tolls and rates, were required to be paid into a borough fund, to be administered for the purposes of the town. The new corporation set to work with a will to carry out the provisions of the Act,

**Its Efforts
and
Difficulties**

but its efforts were hampered for many years by the resolute opposition of several of the members of the old corporation, who refused to agree to an increased rent on the land already leased to them in the Burgesses Brooks. After much litigation, however, which required for its subsequent liquidation a rate of fourpence in the pound as well as the raising of several sums upon mortgage, the new corporation triumphed. Presided over by the Mayor, assisted by a Town Clerk, the reconstituted council consisted of four aldermen and twelve

**Some of its
Early
Enactments**

councillors. Some of its earlier enactments are worthy of mention, e.g., bye-laws, adopted in 1836, provided for a fine of £50 for refusal to serve as mayor, £25 for declining the office of alderman, councillor, auditor or assessor, and penalties, varying from 5s. to 20s., for absence from meetings; resolutions, of the same year, united the offices of "Chief Police Constable" and "Town Crier," and made it a punishable offence for anyone else to act in the latter capacity, "seeing that such office has been, from time immemorial, held and exercised by an Officer or Servant of the Mayor, or the Corporate Body;" petitions to the Houses of Parliament in support of Rowland Hill's Bill for a universal penny post; a special bye-law, in 1840, prohibiting the use of dogs for drawing or assisting to draw carts, trucks, etc.; a vote of £10 to the mayor, for incidental expenses, owing to his refusal to accept a salary; the raising of "a loan of £500 to meet expenses in Chancery *re* William Holmes and to deal with the sinking of the north pier of the Bridge; (this latter was found on investigation to have resulted from the increased rush of water due to the opening of the "New Cut" at South Stoke)¹; the consideration, in 1842, of "The propriety

¹ This opening, which connected the ends of a horse-shoe shaped bend in the river, must not be confused with the "New Cut" made, some distance further south, in 1862.

and necessity of having some moveable Stocks for the punishment of offenders "; a decision, in the same year, that each councillor must provide his own " Silk Hat Band " when attending the funeral of a member of the corporation ; and, in 1844, the forwarding of petitions to Parliament in opposition to the Bill for the extension of the Brighton railway from Shoreham to Portsmouth.

1842 On February 28, 1842, Queen Victoria, accompanied by the Prince Consort, passed through Arundel, on their way from Brighton to Portsmouth, an address being presented to Her Majesty by the corporation outside the Norfolk Arms. **Queen Victoria and the Prince Consort Pass Through the Borough** " On the following day at about five o'clock Her Majesty and the Prince with their Royal relatives and suite passed through the Borough on their return to Brighton, when the Mayor and Council again assembled to pay homage to the Queen, and her Majesty and her Royal Consort alighted at the Norfolk Arms for a few minutes and were on both occasions received with enthusiastic cheers by the assembled Inhabitants of the Town and Neighbourhood." In March of the same year, a deputation, consisting of the Mayor, one Alderman, one Councillor and the Town Clerk attended the Levee and presented an address of congratulation on the birth of the Prince of Wales. In his reply the Prince Consort said :

" I feel much obliged by this Address. It is very gratifying to my feelings from the sentiments it contains but more particularly because I was so much interested in my recent passage through Arundel."

1846 This passing visit, the first recorded instance¹ of the presence of the Sovereign in the town since the days of Edward II, was followed by a State visit of the Queen and Prince Consort to Henry-Charles, Duke of Norfolk, in December, 1846. **Royal Visit to the Castle** **Henry-Charles Howard (1842-1846) 34th Earl** This furnished the borough with a further opportunity of testifying to its loyalty to the Crown. Preparations for the official reception of Her Majesty by the Mayor and Corporation were made in the preceding October,

¹ Appendix IX.

when it was decided that a barrier in the form of a triumphal arch be erected "near the spot where the ancient Water-gate stood"; that there Her Majesty be received, the Mace surrendered and a procession formed to escort the Royal cavalcade to the gates of the Castle. To enable the corporation to discharge its duty with becoming dignity, the council decided that its members should be apparelled in suitable robes of office, the custom of wearing such having evidently passed away with the old corporation. The Town Clerk was therefore instructed to obtain patterns from the councils of Portsmouth and Guildford, with the result that the shape of that used by the latter was adopted, and it was decided that the robes of the twelve councillors be "Black hemmed with Silk Velvet," those of the four aldermen "Scarlet trimmed with Silk Velvet," that worn by the Mayor "Scarlet trimmed with German Sable," and that of the Town Clerk, "after the fashion of the Junior Barristers." It was further resolved that a "Scarlet Banner 24 feet by 16 with the Borough arms in Gold in the Centre be bought and raised on the Town Hall"; that "the design for illuminating the Town Hall be: The letter V six feet high on one Tower the letter A on the other Tower and a crown nine feet high in the centre to be connected with festoons with the letters: the whole in variegated Lamps;" that "an address be presented during the Queen's stay at the Castle," and that a fund be raised by subscription to defray expenses and to provide "Meat, Bread and Beer to all those Burgesses and poor persons who would not receive the Duke's bounty or William Holmes' gift to fifty poor women, and that any surplus over be handed to the Charity Committee to be distributed in Bread to the poor during the Winter." On November 29, the Town Clerk was dispatched to Osborne "to ascertain her Majesty's pleasure." On the following day he returned, having "stopped all night in the Island."

At 4.30, in the afternoon of Tuesday, December 1, Her Majesty, "who looked remarkably well and who wore a black velvet vesite, trimmed with sable fur, an ermine muff, white silk bonnet, and a lilac dress," arrived, in fine but



GROUNDS AND ENTRANCE LODGE, 1865.



TRIUMPHAL ARCH, 1840.

frosty weather, "after a very rapid journey from Osborne House," at Arundel. The escort of Royal troops had been replaced, at Emsworth, by a detachment of the Arundel and Bramber Yeomanry, which, in turn, was relieved by another troop of the same force, under the command of the Earl of Arundel and Surrey, at Balls Hut. "Here also, the Duke of Norfolk, who had gone out to meet his Royal visitors, joined the cortège, accompanied by some of the chief guests at the Castle, including the Duke of Wellington." "On the approach of the Royal cortège to the town of Arundel, the speed of the horses was slackened in order to allow the spectators an opportunity of observing the Royal party. The Queen's carriage having passed under the triumphal arch at the end of Maltravers-street, where the Mayor and borough authorities were assembled, was here brought to a stand, while Mr. Howard Gibbon, who wore underneath his scarlet robe of office his uniform as York Herald, advanced to the window, and presented the borough mace to her Majesty in the following terms :

'May it please your Majesty to accept this mace, which I, as Mayor of this ancient borough, humbly present, in dutiful submission to your Majesty's Royal prerogative.'

The Queen graciously acknowledged Mr. Gibbon, and, with a scarcely suppressed though exceedingly good-tempered smile, returned the symbol of official power to his charge, assuring him it was not possible it could be in better keeping." The municipal procession, consisting of—

Two Special Constables
Two Policemen bearing Silver Maces
Councillors two and two
Aldermen two and two
The Town Clerk
The Mace Bearer with the Mace on a Cushion¹
The Mayor and The Vicar

¹ At the funeral of Cardinal Howard in 1851, the absence of this cushion was responsible for the infliction of an unmerited indignity on the mace. A distinguished gathering of church dignitaries, relatives of the deceased and state officials had assembled in the

then preceded the Queen's carriage, along old Market Street, to the entrance to the Castle, where "an evergreen arch, of gigantic dimensions and very effective design" had been erected. "As the Royal carriage entered the Castle gate, two Royal standards were run up on either side the same; and, as it passed into the quadrangle, the Duke's flag was lowered from the summit of the keep, and the British flag hoisted in its stead. At the same moment, a most brilliant illumination in gas, extending entirely across the keep, burst forth in great brilliancy, exhibiting in colossal letters these words—'Welcome Victoria and Albert.' At the reception held in the State drawing-room, the Mayor had the honour of presenting the address of the corporation, and of being included among the guests at dinner. During the evening, the town was brilliantly illuminated, "a grand display of fireworks was given in the meadow at the foot of the Castle hill and the streets were crowded with a gay and well-behaved population."¹ The Queen's visit extended over a period of three days.

Fitzalan Chapel, the Mayor and Corporation being present by special invitation. All was in readiness, the mourners in their seats and the Cardinal in his place, about to begin the service, when an unexpected delay occurred. The red cushion for the reception of the mace had been forgotten, and the mace-bearer, not knowing what to do with his burden, fidgeted uneasily. Then, above the solemn stillness, rose the stentorian whisper of the Town Clerk directing him "To put the d—— thing under the seat!" Forthwith, the emblem of official power, the innocent cause of the delay, was incontinently stowed out of sight and the ceremony began.

¹ *Illustrated London News*, Dec. 1846.

CHAPTER XVII

Negotiations for the purchase of the Burgesses Brooks—Chimes presented to the Parish Church—The Town Clock—Swimming-Baths—Chandelier—Accession of the late Duke of Norfolk—The Borough Disfranchised—Fitzalan Chapel Lawsuit—Church of St. Philip Neri—Reconstruction and Restoration of the Castle—Mill Road Made—The Brooks Sold—The Duke accepts the Mayoralty—Conclusion.

BERNARD-EDWARD, Duke of Norfolk, died in 1842. His son and successor, Henry-Charles, thirty-fourth Earl of Arundel, shortly after his succession, turned his attention to the completion of the plan, initiated, in 1797, by Charles, Duke of Norfolk, for securing the privacy of the Castle. With this object, he attended a meeting of the corporation, in 1844, and offered to purchase the Burgesses Brooks for a sum which, if invested in Government funds, would produce £500 per annum. To this offer the corporation answered that, while anxious to meet His Grace's wishes, it could only consent to part with the Brooks in exchange for other land, and suggested that one and a quarter acres should be given for each acre in its possession. Eventually an agreement was reached by which the corporation agreed to accept an equal quantity of brookland, lying to the south-west of the bridge, and a sum of £2,500 in cash. Before, however, completing the transaction, the Duke desired the assent of the corporation to the closing of the rights of way through the Park, and to the substitution by him of a new road to South Stoke in place of the old Mill Lane; this substitution being, as he said, the real object he had in view in asking for the exchange of land. The corporation replied that it would be prepared to consider

Henry-
Charles
Howard
(1842-1856),
34th Earl

1844

Offers to Buy
the
Burgesses
Brooks

this proposal as soon as the exchange had been completed. Negotiations now broke down and the matter remained in abeyance until 1850, when the Duke renewed his offer. The corporation thereupon, although "not considering the plan of the new road satisfactory, but anxious to conclude the matter," asked His Grace, in addition to the original terms, "to build a pleasure House in the Park for the Use of the Inhabitants and Visitors and to give a right of way to it, by the Carriage Road entering the Park at Butler's Lodge." This request the Duke declined to accede to. It is said that the demolition of the line of buildings on the east side of High Street, from the Castle gate to the entrance to Mill Lane, formed a part of his plan, and that the whole question went to Quarter Sessions, where it was rejected on the grounds that the new road would increase the length of the route to South Stoke. This decision negatived the proposed alterations, and, in view of the settlements ultimately reached in 1892 and 1901, the failure of these earlier negotiations proved to be highly advantageous to the town.

<p>1855 The Chimes Given to the Parish Church</p> <p>1851 The Town Clock Presented</p> <p>Henry- Granville Howard (1856-1860), 35th Earl</p> <p>1859 Swimming- Baths Acquired</p> <p>1861</p>	<p>To the generosity of Henry-Charles, Duke of Norfolk, and his Duchess, the Parish Church is indebted for its chime of eight bells, given by them in 1855.¹ Four years earlier, Thos. Walder presented to the town the "Clock or Dial affixed to his late residence in High Street"; and, in 1859, Henry-Granville, son and successor to Henry-Charles, Duke of Norfolk, exchanged a piece of ground, for the purpose of providing swimming-baths near the river, in return for "the old Pest House," a cottage or small building which stood on the incline between the new road to London and the south entrance to the Park; in addition he voluntarily contributed £50, rather more than a third of the cost of the baths, to which sum Lord Edward Howard, M.P. for the borough, added £40, the balance being raised by the town; while, in 1861, Lord Edward Howard presented the massive Chandelier which</p>
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¹ Appendix X.



ARUNDEL BRIDGE, MID-NINETEENTH CENTURY.



ILLUMINATIONS IN 1846.



THE CHURCH OF S. PHILIP NERI.

still hangs in the Town Hall. Shortly after it was placed in position the Chandelier fell, considerable damage to its under surface resulting. In order to hide the evidences of the damage, evidences still apparent on close inspection, it is probable that the bowl was reversed, thus accounting for the fact that the lettering of the inscription, recording the gift, is now upside down.

Chandelier Presented by Lord Edward Howard, M.P.
 1860 Henry-Granville, Duke of Norfolk, died in 1860, his titles and estates passing at his death to his eldest son, Henry Fitzalan Howard, the 36th Earl late Duke of Norfolk.

It might appear reasonable to close this narrative at this point, since the history of the last half-century merges into the present. Many events in this period, some of them of comparatively recent date, have, however, so materially affected the town and are so intimately connected with its past that some reference at least may here suitably be made

1863 to them. Thus, the completion, in 1863, of the railway through the Arun Valley not only added facilities till then unknown, but it also involved the displacement eastwards of that portion of the old road to Brighton, which ran directly past the ancient Priory of

1868 Calceto; the Reform Act of 1868 deprived the borough of its remaining member; the rent charge on the Crown Inn, granted by Sir John Shelley, expired in 1871; and the lawsuit in 1880 (the Duke of Norfolk *v.* Arbuthnot) successfully established the claim of the plaintiff to the owner-

ship of the Fitzalan Chapel,¹ a result which was followed, in 1886, by the restoration of its roof and choir-stalls exactly as they had been prior to the demolition of 1782, much care being taken to collect and replace such of the ancient timber as was capable of being used.

1870 Of more importance, as affecting the general aspect of the town, was the erection, by the Duke of St. Philip Neri Founded in 1870, of the Church of St. Philip Neri, and the great reconstruction of the Castle from 1890-1903, an undertaking resulting in a return to the old approach

¹ Appendix XI.

through the ancient gateway, a sweeping away of the major portion of the work carried out in the early part of the nineteenth century, and the substitution, in a more correct style, of an entirely new west wing ; besides many extensive alterations, additions and restorations which make the Castle to-day one of the most complete and interesting structures of its kind in England.

Recon-
struction
of Castle
Begun

1892
Mill Road
Made

1901
The
Burgesses
Brooks Sold

Terms of
Sale

1902

The Duke
Accepts the
Mayoralty

But of even more moment to the town was the making of the new Mill Road by the Duke in 1892, and the purchase by him, in 1901, of the Burgesses Brooks. As the immediate outcome of these transactions, the policy, initiated by Charles, Duke of Norfolk, in 1797, was brought to a successful completion ; under them the town received, in return for 97 acres of brookland, 44 acres of upland on the western side of the borough and £31,000 in cash ; and in 1902, as a fitting climax to a mutually satisfactory settlement of a question which had formed the subject of much unsuccessful negotiation in the past, an honour, unique in its annals, namely, the acceptance of the Mayoralty by the head of the noble house so long and so intimately associated with its history. Five years previously His Grace had presented to the corporation a mayoral chain of office,¹ a long-desired and much-appreciated addition to its regalia.

1897

The Mayor's
Chain

The
Exchanges
of Property
Reviewed

In seeking to estimate the result to the town of the various transactions which logically culminated in the sale of the Burgesses Brooks, it is necessary to view them as a whole, since, although widely separated in point of time, each formed part of a concrete plan, the failure in any step of which would have negatived all that followed ; nor must the fact of the steady decline in the prosperity of the borough, from 1831 onwards, be lost sight of. The earlier causes of this have already been alluded to, and it has been seen that they were mainly due to a change of outlook in the community at large. New wants created new demands, and the wider life desired was

¹ Appendix IV.

more easily supplied by residence in the larger centres of population. Later, the introduction of railways, by supplanting the old coaching system, deprived the smaller towns of much of their importance and of the many sources of income connected directly therewith; while a further impetus in the same direction was given by the steady decline in agriculture. As time passed it became more and more apparent that, if the decaying fortunes of the borough were to be rehabilitated, the one course open was the restoration of its position as a residential centre. It is, therefore, from this standpoint that the exchanges above referred to will here be considered.

Results to the Town Looked at in this light it would be unreasonable to assert that they were all equally beneficial to the town; for, although the creation of the new Park was, and is to-day, an asset of incalculable value to the borough, the same cannot be said of the surrender of the old road from the north end of High Street to St. Mary's Gate, or of the sale, in 1810, of the site of the ancient vicarage and the land adjoining, whereby the erection of the blank, prison-like wall—that mural disfigurement which runs west from the Parish Church—was made possible, and the glorious view to the north completely shut out.

The responsibility for this unfortunate result must be shared equally between the corporation and the ecclesiastical authorities of that day. Of the other main transaction, namely, the substitution of the new road to Swanbourne for the old Mill Lane and the sale of the Burgesses Brooks, it may, however, be said unhesitatingly that it would be difficult to overestimate the advantages thereby secured to the town. The former substituted for a narrow, shut-in lane a broad promenade bordered by trees, the grey-walled Castle on the west, the spreading valley of the Arun and the distant slopes of the Downs on the east, and, by the stone bridge over the Mill Stream, the way past Swanbourne's historic lake and thence, through ever-changing scenery, to the old-world villages beyond. While the latter not only furnished the town with a substantial income, it provided in the land, received in exchange, the one means by which the

solution of the problem of rehabilitation could be attained.

Viewed to-day from the summit of the Causeway Hill, or, better still, from the little knoll above the ruins of Pynham Church, Arundel, under all skies, but especially in the first morning light when the mists in the valley are beginning to lift, presents a striking picture ; its intermingled roofs of tile and slate rising tier above tier ; its stately Castle perfectly balanced by the noble Church of St. Philip Neri ; and, further back and between both, but in no way overshadowed or dwarfed by either, the ancient Church of St. Nicholas ; the whole backed by the rapidly ascending, wooded slopes behind, and, at its foot, the winding Arun flowing gently down the valley to the sea. It is a picture strongly reminiscent of the old towns of Normandy, and one which speaks insistently of days and scenes long past ; but it is a picture which, once seen, will not easily fade from the memory.



Photo by]

BEVIS' TOWER.

[W. B. ALLISON

Appendix I

SIR BEVIS OF HAMPTON AND HIS HORSE "ARUNDEL" ¹

MR. GILPIN, in his observations on the Coast of Hants, Sussex and Kent, says: "Bevis was a giant of antient times whose prowess was equal to his size. He was able to wade the channel of the sea to the Isle of Wight, and frequently did it, for his amusement. Great, however, as Bevis was, he condescended to be warder at the gate of the Earls of Arundel, who built a tower for his reception, and supplied him with two hogsheads of beer every week, a whole ox, and a proportional quantity of bread and mustard. It is true the dimensions of the tower are only adapted to a man of moderate size; but such an inconsistency is nothing when opposed to the traditions of a country."

Selden, in his Notes to the "Polyolbion," says: "About the Norman Invasion was Bevis famous with the title of Earl of Southampton, Duneton, in Wiltshire, known as his residence. His sword is kept at Arundel Castle; so equalling in length (as it is now worn) that of Edward III, at Westminster."

Dr. Heylyn, in *Helps to English History*, under Earls of Southampton, and date 1067, mentions "Beauvois of Hampton, that famous soldier so much talked of."

There is not, however, a shadow of evidence that there was any Earl of that name, and the whole legend may be regarded as an accommodation to local circumstances of the famous mediæval Romance of Sir Bevis. This has been related in Ellis's *English Metrical Romances*. In it Bevis's horse is called "Arundel," and his sword "Morglay." The usual incidents of war—great deeds, love, etc.—are narrated, and, eventually, the remains of Bevis, Josyan his wife, and Arundel, who all died on the same

¹ Lower, *S.A.C.*, iv. 31.

day, were interred under the high altar of a church erected to their honour and dedicated to St. Lawrence, where frequent miracles were wrought. The celebrated romance ends :

“ God on their souls have now pity,
And on Arundel his good steed,
Giff men for horse shoulde[n] sing or read !
Thus endeth Sir Bevis of Hamptoun,
That was so noble a baroun.”

No mention of the town of Arundel occurs in it ; so that the connexion of the hero with the town rests upon the identity of the name of the town with that of the hero's horse, and the existence of a tower in the Castle called “ Bevis's Tower.” It is possible that the tower may have been named after some real person. There was a family of distinction which bore the name of Bevis in the thirteenth century, and it is still a common name in Sussex. A John Bevis was knighted after the battle of Lewes by Henry III, in 1264.

A tumulus in the Park is pointed out as the grave of the giant. It was opened some years ago without any satisfactory result.

In Southampton the name is perpetuated in “ Bevois Valley,” and “ Bevois Street ” ; while the south-western portion of its ancient Castle is still known as “ Arundel Tower.”

Appendix II

OWNERS OF ARUNDEL CASTLE

- 901	Alfred ?
-1052	Godwine, Earl of Sussex ?
1052-1066	Harold II ?
1070-1094	Roger Montgomery, 1st Earl of Arundel
1094-1098	Hugh ,, 2nd ,,
1098-1102	Robert ,, 3rd ,,
1102-1135	Henry I
1135-1176	William de Albini, 4th ,,
1176-1189	Henry II
1189-1191	Richard I

1191-1196	William de Albini,	5th Earl of Arundel		
1196-1216	„ „	6th „		
(May)				
May-Oct. 1216	John (King)			
1216-1221	William de Albini,	6th „		
(Oct.)				
1221-1224	„ „	7th „		
1224-1243	Hugh „	8th „		
1243-1268	John Fitzalan	9th „		
1268-1272	John „	10th „		
1272-1302	Richard „	11th „		
1302-1326	Edmund „	12th „		
1326-1331	Edmund, Earl of Kent			
1331-1376	Richard Fitzalan	13th „		
1376-1397	Richard „	14th „		
1397-1399	John, Duke of Exeter			
1399-1415	Thomas Fitzalan,	15th „		
1415-1421	John „	16th „		
1421-1435	John „	17th „		
1435-1438	Humphrey „	18th „		
1438-1488	William „	19th „		
1488-1524	Thomas „	20th „		
1524-1544	William „	21st „		
1544-1580	Henry „	22nd „		
1580-1589	Philip Howard	23rd „		
1589-1604	Elizabeth (Queen)			
1604-1646	Thomas Howard	24th „	3rd Duke of	
			Norfolk	
1646-1652	Henry-Fredk. „	25th „	4th „	
1652-1677	Thomas „	26th „	5th „	
1677-1684	Henry „	27th „	6th „	
1684-1701	Henry „	28th „	7th „	
1701-1732	Thomas „	29th „	8th „	
1732-1777	Edward „	30th „	9th „	
1777-1786	Charles „	31st „	10th „	
1786-1815	Charles „	32nd „	11th „	
1815-1842	Bernard-Ed. „	33rd „	12th „	
1842-1856	Henry-Chas. „	34th „	13th „	
1856-1860	Henry-Granville „	35th „	14th „	
1860-1916	Henry Fitzalan „	36th „	15th „	
1916-	Bernard Mar-			
	maduke „	37th „	16th „	

Appendix III

MAYORS OF ARUNDEL

c1280	Richard Dodins	1565	
12—	Robert de Doddinge	1566	
		1567	Edmund Sheppard
1312	John Alessandre	1568	Hugh Walwen
		1569	Edmund Sheppard
1327	John de Gate	1570	John Fenne
		1571	Thomas Taylor
1357	Thomas Conseler	1572	William Peter
		1573	
1476	Richard Fraybleyn	1574	
		1575	Thomas Taylor
1539	Thomas Crane	1576	
1540	John Dampporar	1577	
1541	Edward a Felde	1578	John Fenne
1542	John Damporrar	1579	William Peter
1543	Adam Sheperd	1580	John Gomfrey
1544	Edward Shandler	1581	Edmund Sheppard
1545	John Wiseman	1582	Christofer Heynes
1546		1583	
1547	Philip Wyhthyer	1584	Francis Garton
1548	John Norton	1585	Thomas Booth
1549	Edward Chanddeler	1586	Thomas Bowler
1550		1587	William Lusher
1551		1588	Francis Garton
1552	Phelyp Wythyar	1589	Francis Garton
1553	Rychard Warner	1590	Francis Garton
1554		1591	Thomas Bennett
1555		1592	Thomas Bennett
1556		1593	Richard Mothe
1557	Robert Styler	1594	Richard Wagland ¹
1558	Philip Wyther	1595	Adam Sheppard
1559		1596	Adam Sheppard
1560	Philip Wyther	1597	William Thurbond
1561	Christofer Heynes	1598	Thomas Bennett
1562	Edmund Sheppard	1599	Henry Michelbever
1563	John Henfrey	1600	Richard Mothe
1564		1601	Richard ffergus

¹ Corporation Minute Book.

1602	Richard Mothe	1641	James Morris
1603	Henry Hobbes	1642	James Huggett
1604	Henry Michelborne	1643	John Pellatt
1605	Henry Michelborne	1644	Richard Stamper
1606	Richard Mothe	1645	John Albury
1607	Thomas Bennett	1646	Nethanial Older
1608	Nethanial Fenne	1647	James Morris
1609	Nicholas Bell	1648	James Huggett
1610	Richard fergus	1649	John Albury
1611	Henry Hobbs, Junr.	1650	Thomas Ballard
1612	Henry Hobbs	1651	George Hyde
1613	Richard Mothe	1652	John Albury ¹
1614	Richard Mothe	1653	Thomas Ballard
1615	Nicholas Bell	1654	George Hyde
1616	Nicholas Bell	1655	Thomas Ballard
1617	Henry Hobbs	1656	Thomas Sowton
1618	Thomas Freeman	1657	George Taylor
1619	John Brydger	1658	Thomas Colbrook
1620	Henry Hobbs, Junr.	1659	Thomas Thorncombe
1621	Nicholas Bell	1660	George Hyde
1622	Humphrey Gratwicke	1661	John Albury
1623	Humphrey Gratwicke	1662	Anthony Green
1624	Henry Hobbs	1663	Robert Ottringham
1625	Nicholas Bell	1664	Robert Ottringham
1626	Nicholas Bell	1665	Anthony Westwood
1627	Humphrey Gratwicke	1666	Morris Mearch
1628	{ Thomas Readinge, 16th May	1667	Anthony Green
		1668	Robert Read
	Henry Hobbs, 10th Jan.	1669	Anthony Westwood
1629	Nicholas Bell	1670	Richard Hall
1630	John Middleton	1671	John Pellett
1631	John Middleton	1672	Thomas Penckhurst
1632	Richard Page	1673	Richard Voakes
1633	John Middleton	1674	Richard Voakes
1634		1675	Richard Hall
1635	Henry Hobbs	1676	John Wilson
1636	Richard Page	1677	Thomas Peckham
1637	Richard Page	1678	Richard Voakes
1638	Richard Page	1679	George Symonds
1639	Andrew Perell	1680	Thomas Humfrey
1640	Richard Page	1681	Jeremiah Cuntry

¹ Corporation Minute Book.

1682	Thomas Peckham	1723	Edward Blaxton
1683	Richard Voakes	1724	George Moore
1684	George Symonds	1725	Edward Blaxton
1685	Thomas Humphrey	1726	Thomas Randall
1686	Anthony Wilmer	1727	John Madgwick
1687	Josh. Fugear	1728	John Pecknell
1688	John Ockenden	1729	John Booker, Junr.
1689	Andrew Wilmer	1730	Robert Sanders
1690	John Pellatt	1731	John Booker, Senr.
1691	Thomas Humphrey	1732	John Booker, Junr. ¹
1692	Josh. Fugear	1733	George Moore
1693	Josh. Fugear	1734	Edward Blaxton
1694	Richard Voakes	1735	John Booker, Senr.
1695	George Moore	1736	Robert Sanders
1696	Andrew Wilmer	1737	James Lane
1697	John Pellatt	1738	Charles Collins
1698	John Pellatt	1739	Thomas Fuller
1699	Richard Voakes	1740	John Pecknell
1700	William Vincent	1741	Henry Johnson
1701	Stephen Backshell	1742	Thomas H. Tidy
1702	George Moore	1743	Henry Blaxton
1703	John Dean	1744	Thomas Spurrier
1704	John Weaver	1745	Thomas H. Tidy
1705	George Moore	1746	Edward Carleton
1706	John Dean	1747	Charles Collins
1707	Nicholas Eveleigh	1748	Daniel Sefton
1708	George Moore	1749	Thomas Birch
1709	William Willis	1750	Thomas Birch
1710	John Dean	1751	Edward Carleton
1711	John Booker	1752	James Holmes
1712	John Weaver	1753	Alleyn Groome
1713	John Dean	1754	Robert Stokes
1714	William Woodland	1755	Thomas Spurrier
1715	Edward Blaxton	1756	Thomas Birch
1716	George Moore	1757	John Moore
1717	John Weaver	1758	William Groome
1718	John Dean	1759	Edward Carleton
1719	William Woodland	1760	Henry Penfold
1720	George Moore	1761	John Tompkins
1721	John Pullen	1762	Charles Bushby
1722	William Woodland	1763	John Shaft

¹ Corporation Minute Book.

1764	Edward Penfold	1804	William Holmes
1765	James Holmes	1805	Thomas White
1766	Robert Sanders	1806	John Shaft
1767	Alleyn Groome	1807	Thomas Bushby
1768	Thomas Birch	1808	Thomas Shaft
1769	John Moore	1809	John Tompkins
1770	William Hill	1810	Josh. Hind
1771	William Groome	1811	Richard Holmes
1772	Edward Carleton	1812	Richard Parkin
1773	Henry Penfold	1813	William Olliver
1774	John Tompkins	1814	John Byass
1775	Edward Carleton, Junr.	1815	Edward Wardroper
1776	Charles Bushby	1816	William Holmes
1777	{ Daniel West, died Aug.	1817	Thomas Shaft
	{ 18, 1777	1818	James Hopkins
	{ John Tompkins, Junr.	1819	John Tompkins
1778	John Holmes	1820	Josh. Hind
1779	Richard Coote	1821	Richard Holmes
1780	John Shaft	1822	Robert Watkins
1781	James Holmes	1823	William Holmes
1782	John Shaft, Junr.	1824	James Hopkins
1783	George Pecknell	1825	Edward Wardroper
1784	Thomas Birch	1826	John Cole Tompkins
1785	Thomas Coote	1827	Richard Holmes
1786	Edward Carleton	1828	Robert Watkins
1787	William Hills	1829	George Augustus
1788	John Tompkins		Coombe
1789	Robert Bushby	1830	William Holmes
1790	Thomas White	1831	William Holmes
1791	Thomas Bushby	1832	John Halliday
1792	Richard Coote	1833	Alfred Davis
1793	Richard Coote	1834	George Monk
1794	John Shaft	1835	Alfred Davis
1795	Sir George Pecknell	1836	Arthur Atherley
1796	Richard Coote	1837	George Constable
1797	John Holmes	1838	William Allin
1798	Thomas Coote	1839	George Augustus
1799	John Bushby		Coombe
1800	H. Howard	1840	Robert Watkins
1801	Edward Carleton	1841	Robert Watkins
1802	Robert Bushby	1842	William Duke
1803	John Byass	1843	William Shaft

1844	George Monk	1884	Philip Hubbert
1845	Charles New	1885	Charles Bartlett
1846	G. H. Gibbon	1886	R. E. Roberts
1847	John Halliday	1887	George Light
1848	Thomas Marshall	1888	Charles Bartlett
1849	R. B. Duke	1889	Edward T. Norris
1850	William Osborn	1890	Alexander G. Rolls
1851	Richard Holmes	1891	R. E. Roberts
1852	W. R. Bull	1892	Charles Bartlett
1853	Henry Lear	1893	Alfred Herington
1854	S. S. Stedman	1894	R. E. Roberts
1855	Frederick Cooper	1895	R. E. Roberts
1856	W. R. Bull	1896	Alexander G. Rolls
1857	Charles New	1897	Alexander G. Rolls
1858	Henry Lear	1898	Dean P. Osborne
1859	Frederick Duke	1899	John N. Hare
1860	Robert Garwood	1900	John N. Hare
1861	George Lear	1901	Charles Bartlett
1862	Charles New	1902	Henry, Duke of Norfolk, E.M., K.G.
1863	R. E. Roberts	1903	Alfred Herington
1864	Charles Bartlett	1904	Richard H. Whittaker
1865	W. W. Mitchell	1905	Alfred Herington
1866	Edward Watkins	1906	Arthur Burrell
1867	Charles Henley	1907	G. W. Eustace, M.D.
1868	George Lear	1908	Richard H. Hulls
1869	Robert Garwood	1909	John N. Hare
1870	W. W. Mitchell	1910	John N. Hare
1871	W. W. Mitchell	1911	W. Woods Mitchell
1872	R. E. Roberts	1912	W. Woods Mitchell
1873	Fredck. Duke	1913	Capt. G. S. Constable
1874	W. W. Mitchell	1914	William Woods Mitchell
1875	George T. Evershed	1915	William Woods Mitchell
1876	R. E. Roberts	1916	Herbert Dorman
1877	W. W. Mitchell	1917	Herbert Dorman
1878	T. U. Price	1918	Charles Bartlett
1879	W. W. Mitchell	1919	Major Guy S. Constable, M.C.
1880	R. E. Roberts	1920	Edward J. Herington
1881	Philip Hubbert	1921	Edward J. Herington
1882	R. E. Roberts		
1883	Alfred Herington		



THE OLD WATER MILL.



Photo by]

THE CORPORATION PLATE.

[A. G. PEIRCE.

Appendix IV

THE CORPORATION PLATE OF THE BOROUGH OF
ARUNDEL

[Extract from "*The Corporation Plate and Insignia of Office of the Cities and Corporate Towns of England and Wales*," by Llewellyn Jewitt, F.S.A., and W. H. St. John Hope, M.A.]

THE INSIGNIA consists of THREE MACES AND THE COMMON SEAL ; there are also THREE LOVING CUPS

The LARGEST of the MACES is of silver gilt, 2 ft. 6 ins. long, and of the usual late type, surmounted by a royal crown, with the armorial ensigns of the Stuart sovereigns on the cap. Round the head, in panels, divided by armless cherubs terminating in leaf work, are the four royal badges and a representation of the borough seal. The shaft has four brackets under the head, and is divided, by ornate bosses, into one short and two long sections, chased throughout with a spiral floral pattern. The only mark is the maker's, IB, in a shield with a crescent between two pellets in base. Inside the head is scratched "J. Lane, Mayor, 1732."

The other TWO MACES are of silver with iron cores, and originally formed a pair. Each consists of a slender rod with medial band, with a grip in the form of a double cone, composed of eight ribbed flanges. The mace heads are hemispherical. In one case the head is crested with a beautifully wrought coronet of tall leaves, with lesser leaves between. This cresting is lost in the other mace, which has the head encircled by a rude cable moulding. The crested mace has on top the royal arms of the Stuart sovereigns, inserted no doubt at the Restoration, and round the head are engraved the initials and years of office of Nathaniel Older, mayor, 1646, and James Morris, mayor, 1652 ; the length of this mace is 15 ins. The other mace is 14 ins. long, and has on top, within a quatrefoil encircled by the Garter, the arms of Henry Fitzalan, fourteenth Earl of Arundel,¹ K.G., who died in 1580 ; it also bears the date 1594 and the name of "THOMAS BENETT WOOLEN DRAPER MAYOR." These interesting maces are probably of fifteenth-century date, but they may be even earlier.

¹ 14th Earl of his family, 22nd Earl of Arundel.

The OLDEST of the LOVING CUPS is a tall vessel with broad deep bowl and baluster stem with spreading foot. In front of the bowl is engraved the town bird between characteristic palm branches, and the inscription "the guift of Thomas Ballard somtymes Maior of Arundel 1677" [He was mayor in 1655]. On the other side are engraved the royal arms, etc. Hall-marks: London 1677-8; maker's mark, TI, in a shield with a rose or cinquefoil in base.

The SECOND CUP is a plain two-handled one engraved with a representation of the common seal and below, "This Cupp was purchas'd with ye Value of a small Cottage of 2s. 6d. per annum that was Sold by ye Mayor and Burgisis of Arundell to his Grace ye Duke of Norfolk by his request in 1734." Hall-marks: London 1725-6.

The THIRD CUP is a tall pretentious vase-shaped vessel with side handles and domed lid, surmounted by the swallow. It is of silver and measures 16 ins. in height. The lid, body, and foot are richly chased with game and foliage in high relief. On one side of the bowl is a panel with an engraving of the common seal and on the other: "Arundel Corporation 1830."

The COMMON SEAL [engraved by Dallaway, vol. ii, part i, p. 207] is a round one, $2\frac{1}{8}$ ins. in diameter, and of silver. The allusive device is a swallow (*hirondelle*) standing on a spiral branch, with the legend: SIGILLVM—BVRGENSIVM—BURGI—DE—ARVNDEL. The seal is a late sixteenth-century copy of a twelfth or thirteenth-century original.

(From particulars and photographs furnished by Thomas U. Price, Esq.; Richard Holmes, Esq., Town Clerk; and Charles Bartlett, Esq., Mayor 1892-3.)

THE MAYORAL CHAIN

The Official Chain of the Mayor of Arundel is decorated with suns (Heraldic Suns, suns in glory) and White Roses. From a large red rose in the centre surmounted by a white rose (combined red and white roses) is the pendant badge, charged with the insignia of the Town, argent a swallow volant in bend sinister, sable, surrounded by clusters of oak leaves and acorns, a badge of the Earls of Arundel; at intermediate intervals are Escutcheons of the arms of England, Scotland, Wales, and Ireland, and in a quatrefoil, the arms of His Grace The Earl Marshal, Duke of Norfolk.

The suns and white roses are found on the tombs of several of the Fitzalans.

The chain is of 18 carat gold and enamel.

It was designed by Mr. C. A. Buckler, Surrey Herald Extraordinary, of the College of Arms.

The inscription on the back of the pendant badge records that it was "Presented by Henry, Duke of Norfolk, E.M., K.G. A. G. Rolls, Mayor, June, 1897."

Appendix V

TERRIER OF 1663

"A true and perfect terrier of all the glebe lands, meadows, gardens, orchards, houses, stocks, implements, and tenem^{ts}, belonging to the vicarage of the boro of Arundell, in the county of Sussex, made and exhibited, the one and twentieth day of May, annoque Domini 1663, by the vicar, churchwardens, and other inhabitants, in the metropolitcal visitaçon of the most Rev^d Father, William, by God's providence archbishop of Canterbury.

Imprimis. There is belonging to our vicarage a house, a barn, a gate,¹ one orchard, and garden, cont^s half an acre of ground, or thereabouts, adjoin^s to the house; the ten^t or dwell^s house of Thomas King bound^s on the east side of it; the ten^t or dwell^s house of Henry Sheppard bounding on the so. end of it; and the king's highway, called Whiting's Dike, on the north and west side of it.

Item, there is belonging to the vicarage the tithe of these p'cells of land hereafter named:

First, the tithe of one close of arable land, called Cope's close, cont^s three acres.

Item, one close next Whiting's Dike, cont^s six acres.

Item, one field, called Mary's field, contain^s eleven acres.

¹ "Gate," or "Gates," is a provincial term, signifying a "farm-yard" (Tierney, p. 654).

Item, one croft, called the three-cornered croft, adjoining to the Mary-field, cont^s three acres.

Item, one little close, adjoining to Postern Lane, contain^s two acres.

Item, one field, lying before Tupper's door, cont^s five acres.

Item, a close, called Sewel's Deane, cont^s one acre and a half.

Item, a close, called Bottom acre, cont^s three acres.

Item, a field, next beyond Postern Lane, cont^s five acres.

Item, a close, joining to Humphrey's barn, cont^s half an acre.

Item, a close, joining Sheppard's barn, cont^s one acre.

Item, a close next to that, cont^s six acres.

Item, a field next Pew-Dean Lane, cont^s six acres.

Item, in the common lime-field, adjoin^s to the parsonage land, two acres.

Item, a field next to the lime-field, cont^s four acres.

Item, a field called lime-field, adjoin^s to the little park pale, cont^s ten acres.

Item, a close, called Barret Hill, cont^s one acre.

Item, the tithe of ten small meadows, adjoin^s to the king's highway, leading to the water-mill of Arundel.

Item, the tithe of all the garden-plots within the boro of Arundel.

Item, there belongeth to the vicarage the third part of all the tithe hay, belonging to the parsonage of Arundel.

Item, the tithe of one garden-plot, lying in a field of Alice Diggens, widow, adjoin^s to the Marsh Gate.

Item, the tithe of one garden-plot, in a meadow late of Hen. Mitchelborne, Gent. deceased.

Item, the tithe of one meadow next to Arundell bridge, now in y^e occupaçon of Will. Pellett, one acre.

Item, the tithe of two garden-plots, adjoin^s to the king's highway, called King's Lane.

Item, the tithe of all y^e slippes about y^e "burgess' brooks," whether they be set with ozers, or reeds.

Item, the tithe of all land within the s^d boro, that is eaten, called herbage, after the rate of 8*d*. in the noble.

Item, our minister hath the keeping of six kine in the brooks, called the "Burgess' Brooks," every year.

Item, there is a certain duty due to our minister out of a farm call'd Cudlow farm, lying by the sea-side, near Atherington, in Sussex: the certainty what it is we do not know, but our minister, that now is, hath, by composition of the farmer that

now useth the^d farm, the sum and quantity of twelve bushels of wheat, and fourteen bushels of barley, every year : first oblations 7½*d.* each Xmas, Purification, and Easter excepted.

Secondly, all small tithes, wool, pigs, milk, lambs, calves, geese, &c. ; herbage, garden-herbs, apples, bees, and pigeons.

Thirdly, a third part of hay, and all the lands to pay as in this terrier mentioned for great tithes.

Fourthly, Obventions.

Fifthly, Holy Breads, that was left 300 years since (1308), in the presence of the prior of Arundel, at the cathedral church. It was brought into the cathedral, by the hand of Berengarius, the son of Bernardus, a Lombard of St. Jermyn, a public notary of the empire.

“ In witness whereof, we have hereunto set our hands and seals, the day and year above written.

Examined by us,
ROB. ROILL.
JNO. BRIDGER.”

ROB. ALTRINGHAM.
JAMES GOBLE.
ANTHONY GREENE.
ENGLAND HALL.”

Appendix VI

ACT OF THE THIRD YEAR OF CHARLES THE FIRST

This, although it has never been acted upon, provides, that—

“ . . . for the better sustentation, preservation, and continuance of the said Castle of Arundel, and the said capital house called Arundel House, in sufficient and necessary reparations,” an annual sum of two hundred and ten pounds shall be paid out of the Sussex estates “ to the Wardens and Commonalty of the mystery of Fishmongers, of the City of London, and their successors for ever ” ; that these persons “ shall have full power to distrain in the premises for all and every arrearages of the said yearly sum ” ; and that in addition to an expenditure of one hundred pounds, part of the said money, which is to be made on Arundel House, they “ shall, yearly or otherwise as shall be necessary, employ one hundred pounds, another part of the said rent, in and upon the building, sustaining, repairing, renewing, and amending of the said Castle of Arundel, and chapel adjoining to the church of Arundel, wherein some of the Earls of

Arundel lie buried, and of the goods and chattels there to be preserved, in such manner as the Earl of Arundel for the time being, or the next heir, shall from time to time conveniently and reasonably direct, and appoint, and thereof under his hand in writing give notice to the said Wardens, &. at their Common Hall.”¹

Appendix VII

PETITIONS AND RESOLUTIONS OF THE CORPORATION RELATIVE TO THE REFORM BILL OF 1832

“Arundel, 22nd May, 1832,

At a Meeting of the Corporation this day, present Wm. Holmes Mayor” . . . “the Mayor reported that the Petition of the Corporation to the House of Lords on the Reform and Boundary Bills as unanimously voted by the Corporation (save the assent of Alderman Watkins Steward to His Grace the Duke of Norfolk) at the Meeting of the Corporation holden on the twenty third day of March last had been presented to the House of Lords and that much Discussion thereon had arisen. The Mayor further reported that he had duly received the following letter from Alderman Watkins, namely :

‘March 25 : 1832.

‘DEAR SIR,—

‘I have to request a Copy of the Petition which you propose to send to the House of Lords against the Boundary Bill and as I will not keep it more than two hours before it shall be returned to you and any Expense in making the Copy if you will not intrust me with a Copy to make a Copy from I will pay. It is, I think, not unreasonable this request as a member of the Corporation and a Proprietor of a Property which I feel anxious to protect. I am, sir Your obt. servant,

‘R. WATKINS.’

The request in which letter the Mayor stated he had declined complying with, because the application was evidently made for the Purpose of opposing the said Petition. The Mayor further communicated that one of the Churchwardens of the

¹ Tierney, p. 99.

Borough had informed him that the said Alderman Watkins had informed him that he had communicated to His Grace the Duke of Richmond on the subject of the said Petition and that the said Duke was on his or their side. And it appearing by the public newspapers, especially the Times Paper that His Grace of Richmond had spoken in the House of Lords Matters quite untrue regarding the said Petition and especially with respect to the Motives of this Corporation it was ordered that the three first Rules for the Regulation of this Corporation made on the 27th Sept. 1637 should be made at the Meeting of the Corporation in the Month of March Annually for the future Information of the Burgesses, which Rules it appeared were as follows :

1. You shall observe to keepe the secrets of your Brethren.
2. You shall performe all promises and payments that doe beelunge to the Maior or any of the rest of your Brethren or any that the Rest of your Brethren shall pay unto others that shall bee Justlie demanded of you.
3. You shall yield all due Reverence and Respect unto the maior and the Senyor Burgisis at all times and in all placis.

It was further ordered that the several Petitions presented to either House of Parliament on the subject of the Reform or Boundary Bill now in Parliament be here recorded and accordingly they are entered as follows :

To the honorable the Commons of the United Kingdom of Great Britain and Ireland in Parliament Assembled.

The humble Petition of the undersigned The Mayor of the Borough of Arundel in the County of Sussex.
Sheweth !

That the Bill lately introduced into your honorable House to amend the Representation of the People in England and Wales is incomplete in as much as no Provision is therein made for the Vote by Ballot, in Places where the number of Electors is small and where consequently undue Influence may be exercised, against which the election by Ballot is the best, if not the only remedy, as well as the greatest safeguard against Bribery. That your Petitioner saw, on the very Day in the last Sessions of Parliament whereon the Reform Bill was proposed to be made a second Time, in a Committee of your honorable House, sitting on a private local Bill the Chairman and several Members of the Committee, who were not only great Promoters of but consider-

able Subscribers to the Undertaking proposed by the Bill to be adopted ; that such Members, Promoters and Subscribers were active and voted in the said Committee, which reported on the said Bill and the same passed your honorable House.

That in the said Committee three material objections were made on the Behalf of your Petitioner and others which were all carried against them ; that the same Bill afterwards went in a Committee of the Lords who thereon reported ' that the objections were too reasonable to be rejected ' that the Promoters thereupon acquiesced in two of the said objections, but resisting the third the Bill was thrown out.

That the Principle of admitting a Person to be a Judge in his own Cause is contrary to Justice and to the Law as exercised in every Court in this or any other Kingdom of the civilized world and tends greatly to diminish the high respect undoubtedly due to your honorable House.

Wherefore your Petitioner humbly prays that your honorable House in its wisdom will so amend the Parliamentary Reform Bill as to divest it of the aforesaid objection thereto ; and that such a Rule be adopted as shall prevent the Members of your honorable House from acting as Judges in Committee on Matters wherein they are personally interested.

And your Petitioner as in Duty bound will ever pray, etc.

WM. HOLMES, Mayor of Arundel,
Sussex.

To the honorable the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled.

The humble Petition of the Corporation of the Borough of Arundel, in the County of Sussex.
Sheweth !

That the Mayor, Burgesses and Commonalty of the Borough of Arundel (now producing in annual assessed Taxes £878 ; in houses 527 and voters 463) have from the time of Edward the first, returned to your honorable House two Members, and have ever been active and earnest in their Loyalty to the throne, their devotion to the Constitution and their Voluntary Services and Contributions in Times of Need towards the support and welfare of the State.

That until late years their Representatives have been returned to Parliament free from the Interference of any Peer of the Realm, though of late it has been otherwise.

That your Petitioners anticipated that by the passing of the Reform Bill proposed by your honorable House, they should be called on to forego one of their Representatives, which they were cheerfully prepared to submit to, expecting thereby to be secured from the Interference of any Peer in the return of the other Member: your honorable House having from an early period formed wholesome though, as yet, not sufficiently effectual regulations respecting such like interference.

That willing and anxious to sanction a Bill formed for the real and honest representation of the People and Property of this Kingdom, your Petitioners have viewed, with much satisfaction many recent Proceedings of your honorable House, but whilst thus gratified they have with much Dismay found Provisions more necessary to be adopted, than many of those adopted by your honorable House for the due Representation of the People, totally omitted: without further troubling your honorable House than is necessary to shew the manifest Injustice done to this Borough, and through it to the Representation of the people as well as to the avowed Intention and the very spirit of the Reform Bill itself, Your Petitioners proceed to state that there is not within the Rape of Arundel or the County of Sussex itself any parish or any part of any parish to be found, which being annexed to, would render the yet free Borough of Arundel, a mere nomination Borough save that Part of the Parish of Littlehampton which has been allotted in the Boundary Bill now before your honorable House to be united to this Borough.

That the Rape of Arundel, of which this Borough forms a prominent Part, is for all reasons, yet entertained by your honorable House, as proper for a due representation of the People, more entitled than its neighbouring Rape of Bramber to send two Members to Parliament, and that unless your honorable House comes to the Conclusion that the small Borough of Shoreham (formerly disfranchized for Corruption) and the Rape of Bramber annexed is more entitled to take two Members than the Borough of Arundel with its above mentioned Qualifications, and the neighbouring and equally eligible Town of Petworth, with the Rape of Arundel, are to return two Members, the Reform Bill in its present state is in this Particular opposed to the avowed Intentions of your honorable House, and to the very Spirit and Professions of the Bill itself, in as much as it provides three Members in the Rape of Bramber (two of these

because of the aforementioned Conviction of the Borough of Shoreham) and leaves its adjoining and more entitled Rape of Arundel to return one member only, and that one Member by the Boundary Bill now before your honorable House annexing Littlehampton to Arundel, is to be converted into a mere Nomination Borough for a Peer of Parliament.

Your Petitioners therefore humbly pray your honorable House will be pleased to omit altogether the Borough of Arundel from the said Boundary Bill or at least to omit that Part of the Parish of Littlehampton therein proposed to be annexed to it.

And if your honorable House shd deem it necessary to annex any Parish to the Borough of Arundel, that you will be pleased to add thereto the Parish and Town of Petworth in the said Rape.

And your Petitioners as in Duty bound will ever pray."



SEAL.

(A very similar petition was sent to the House of Lords.)

REPORT OF THE SELECT COMMITTEE, JUNE, 1832

"The Select Committee appointed to consider the Report of the Commissioners on the Limits of the Borough of Arundel, and to report their opinion thereupon to the House: have, pursuant to the order of the House, examined the Matters to them referred, and agreed to the following Report. The Committee proceeded to examine the Report of the Commissioners on the Borough of Arundel, and as it appeared that the Question in Dispute mainly depended on the number of Tenements of the value of £10 a year within the present Borough of Arundel, they directed a Surveyor of Eminence from London to proceed to Arundel to inquire into and report the Number of Tenements of this value. Upon examining this report the Committee are of opinion that the Tenements of the value of £10 a year, estimated according to the Rules adopted by the Commissioners in other Cases, amount to such a number as to justify the Committee in recommending to the House that the Limits of the Borough shall not be extended beyond the Parish of Arundel. Your Committee think themselves called upon in Justice to state,

that they have seen no reason to question the fairness and Impartiality of the Commissioners on this occasion."

On the subject of there being no polling station provided for the neighbourhood, as distinct from the borough, of Arundel in the Boundary Bill, the Corporation on July 31, 1832, resolved to send the following petition to the House of Lords :

" To the Right honorable The Lords spiritual and temporal in Parliament assembled.

The humble Petition of the Corporation of the Borough of Arundel in the County of Sussex.

Sheweth !

That by the Act lately passed to amend the Representation of the people of England (section 63) it is provided that Counties should be divided into convenient Districts for Polling and in each District a place appointed for taking the Poll at Elections for the nights of the shire, by the Boundary Bill, now before your right honorable House, so that no more than 15 Places should be allowed for the same Poll.

That by the said Boundary Bill, but four Places are appointed for the Western Division of this County and no place for Polling is set out for the Upper Division of the Rape of Arundel comprising the two hundreds of Avisford and Poling and twenty-five Parishes, the electors in which are very numerous and will have to travel to poll some of them seventeen miles and upwards and the whole on an average thirteen miles and upwards, unless some additional and convenient place be set out in the said Boundary Bill for taking the Poll near to the said hundreds of Avisford and Poling, between and convenient to which is situated the Town of Arundel. Wherefore your Petitioners humbly pray that your right honorable House will be pleased to appoint in the said Boundary Bill, a convenient Place for polling for the electors of the aforesaid twenty-five Parishes. And your Petitioners as in Duty bound will ever pray . . . "

A letter directing attention to the petition, was addressed by the Mayor to the County Members and to several Members of each House : the reply of the Duke of Richmond was in the following terms :

London, July 5th, 1832.

" Wm. Holmes Esq.

SIR ! I regret that I cannot give a favourable answer to your letter of the 30th June. The polling places for the Western Division of the County of Sussex will be Chichester, Petworth,

Horsham and Steyning And the Magistrates in Quarter Sessions, will order the Parishes to poll at the Nearest Places.

I have the honor to be

Sir !

Your obedient humble servant,
RICHMOND."

To this, the Mayor answered :

Arundel, 8th July, 1832.

" To His Grace.

MY LORD DUKE,—

How the House in its Wisdom or its Justice can come to the Conclusion of giving in this Division of the County (Arundel Rape) one polling Place, when it exceeds in breadth, Population, and voters (under the Reform Bill threefold I believe) its neighbouring Division (Bramber Rape) and allots in that Division two polling Places, is not to me comprehensible ; but I hope it will be satisfactorily explained by the County Members to their Constituents. When I addressed your Grace I concluded it was an oversight and I still think it has not received a proper consideration. The Reform Act *directs convenient* polling Places, not exceeding fifteen in number. Only four has been allotted where that Act *directs more* and allows fifteen. This County in its civil and military Capacities is already properly divided, and it will create an unnecessary Confusion and Difficulty to make another different Division of it. It is quite clear that notwithstanding the Power given to the Justices they will be unable, without another polling Place being appointed, to adopt the Spirit of the Reform Act in this Division of the County.

I have the honour to remain,

Your Grace's
most obedient and very humble servant,
Wm. HOLMES Mayor.

Appendix VIII

LORD DUDLEY COUTTS STUART, M.P.

Lord Dudley Coutts Stuart, M.P. for Arundel 1830-7, although the eighth son of the first Marquess of Bute, was his only son by his second wife, Frances, second daughter of Thomas Coutts, whom the Marquess married on September 17, 1800, and who died on November 12, 1832.

He was born on January 11, 1803, and married in 1824 Christina Alexandrine Egypta, daughter of Napoleon I. Lord Dudley Stuart died on November 17, 1854, his wife having predeceased him at Rome on May 19, 1847. Their only child was Capt. Paul Amadeus Francis Coutts Stuart, who served in the 68th Regt. and died unmarried in August, 1899.

Appendix IX

ROYAL VISITS TO ARUNDEL

1095	William II ?	1209	John	1302	Edward I
1097	„	1213	„	1305	„
1100	Henry I	1285	Edward I	1324	Edward II
1139	Stephen	1297	„	1842	Victoria
1206	John	1299	„	1846	„

It is probable that Elizabeth visited Arundel in 1591 (*see* p.132). George IV, when Prince of Wales, stayed at Arundel Castle in August, 1801. During his visit, the Arundel Volunteers were reviewed, in his presence, by General White, and, the same evening, a distinguished company, including Canon Tierney and the Rev. James Dallaway, had the honour of meeting His Royal Highness at dinner.¹

¹ Diary of the Rev. W. Groome,

Appendix X

THE BELLS OF THE PARISH CHURCH

On each of the eight bells is inscribed :

“ The gift of Henry Charles and Charlotte, Duke and Duchess of Norfolk, to Arundel Church, A.D. 1855

G. A. F. HART A.M., Vicar & Q.C.¹

R. HOLMES Junr. } Churchwardens.

J. FARNCOMB

C. & G. MEARS Founders London.”

The 7th and 8th bearing, in addition, the inscription :

“ The most high potent and most noble prince Henry Charles, Duke of Norfolk, Earl Marshal, and hereditary Marshal of England, Earl of Arundel, Surrey, and Norfolk, Baron Fitz-Alan Clun, and Oswaldestre, and Maltravers, Knight of the most noble Order of the Garter.”

accompanied by the Ducal arms. The weight of the bells is said to be 14 cwt. 1 qr. 23 lbs. The bell belonging to the clock is marked “ Thomas Mears of London fecit 1810.”

¹ Queen's Chaplain.

Appendix XI

THE FITZALAN CHAPEL



KEY TO PLAN.

- A. Original High Altar, with its great slab of Purbeck Marble still entire.
- B. Altar of Our Lady, also original, in the Lady Chapel.
- C. Altar for the use either of the Master or infirm Priests.
- D. Stairs leading into the Chapel from the Master's lodgings.
- E. Entrance to Vaults.

MONUMENTS

- 1. Tomb of Thomas Fitzalan, 7th Earl of Arundel,¹ son of the Founder, died 1415, and Beatrix, his wife, daughter of John I, King of Portugal. The Countess died 1439.
- 2. Tomb of John Fitzalan, 8th Earl of Arundel,¹ died 1421.
- 3. Tomb of John Fitzalan, 9th Earl of Arundel,¹ leader of the English armies in the French wars. He died of his wounds at Beauvais, 1435.
- 4. Chantry and Tomb of William Fitzalan, 11th Earl of Arundel,¹ who died 1488, and of Joan, his wife, sister of Richard Neville, Earl of Warwick.

¹ Of his family.

5. Thomas Fitzalan, 12th¹ Earl of Arundel, died 1524, and William Fitzalan, 13th¹ Earl, died 1544 are both buried in this Tomb.
6. Tablet to the memory of Henry Fitzalan, 14th and last Earl of the Fitzalan family; died 1580. His body lies in Tomb No. 5.
7. Black Marble Monument to Lord Henry Thomas Howard, his wife, and daughter; erected 1842.
8. Chantry and Tomb of Henry Granville Fitzalan Howard, 14th Duke of Norfolk; died 1860.

BRASSES

9. Sir Adam Ertham, 1st Master of the College, died 1381.
10. William Whyte, 2nd Master of the College, died 1419.
11. Unknown.
12. Thomas Salmon, and his wife, Agnes D'Olivere. Thomas was Esquire to Earl Thomas, and died 1430. Agnes was Lady to Countess Beatrix, and died in 1458.
13. John Threel, Marshal to Earl William, died 1465, and his wife, Joan Threel, who was a Bartelott, of Stopham, died 1459.
14. Canon Tierney, died 1862 (who wrote the *History of Arundel*).
15. Brass lost.
16. Robert Warde, a Priest, died A.D. 1474.
17. John Baker, a Priest of this College, died 1445.
18. Brass lost.
19. Esperaunce Blondell, Rector of the Church of Sutton. No date (c. 1450).
20. Sacristy.

A very full account of the lawsuit will be found in Vol. XXX of the *Sussex Archæological Collections*.

Appendix XII

THE REV. CANON TIERNEY, F.R.S., F.S.A.

Mark Aloysius Tierney was born at Brighton in 1785. He was educated by the Franciscans at Baddesley, Warwick, and at St. Edmund's College, Ware. After his ordination as priest, in 1818,

¹ Of his family.

he served two missions in London, and was chosen to be the first Canon Penitentiary in the Catholic Cathedral of Southwark ; but, owing to ill-health, he moved to the country and was appointed priest at Slindon, Sussex. In 1824, Bernard-Edward, Duke of Norfolk, nominated him as his Chaplain at Arundel, where he continued to reside until his death.

In addition to his *History of Arundel*, published in 1834, he contributed largely to Cartwright's *Continuation of Dallaway's Sussex* ; edited Dodd's *Church History of England*, and wrote for the *Gentleman's Magazine* and other periodicals.

He was elected a F.S.A. in 1833 ; a F.R.S. in 1841, and was one of the founders of the Sussex Archæological Society.

He died on February 19, 1862, and was buried in the Fitzalan Chapel.

Appendix XIII

VICARS OF ARUNDEL

	*	*	*	*	*
1324 (<i>ex.</i>)	Robert de Totyngton				
1325	Robert de Stoke				
	*	*	*	*	*
1349	Walter de Flyttewyp				
1350 (<i>ex.</i>)	Richard Bernard				
1350	Walter atte Hull				
1353	Adam de Lymberg				
1354	Edmund de Cotton				
1369	William Rotour				Ob. 1405
1405	Robert Adenet				Ob. 1413
1413 (<i>b</i>)	John Eccles				
1416 (<i>b</i>)	John Webbestre				
	*	*	*	*	*
(<i>a</i>) 1500	John Maksey				Ob. 1501
1501	Richard Tydar				
(<i>a</i>) 1508	Robert Farndale				Resigned 1509
1510	William Coope				" 1510
1510	Thomas Combes				Ob. 1528
1528	John Baty				
(<i>a</i>) 1545	Thomas Ellis				Resigned 1545
1546 (<i>b</i>)	Thomas Hall				

	1549 (b)	Thomas Webster	
(a)	1569	Jerome Philips	Ob. 1569
	1570	Thomas Lewes	Ob. 1591
	1584	Randall Ewood	
	1584	John German	
	1591	John Walwyn, A.M.	Resigned 1591
	1591	Humphry Booth, A.M.	
	1595	William Carus	Ob. 1620
	1620	Thomas Heyney, M.A.	Expelled 1642
(a)	1645 (b)	William Hill	
(a)	1656	Francis Cuffley	Ob. 1656
(a)	1662	John Goldwire	Ejected 1662
	1662 (b)	John Maynard	
(a)	1673	Robert Read	Resigned 1674
	1674	John Tutte, LL.B.	Ob. 1691
	1691	John Jaumard, A.M.	„ 1701
	1701	Philip Thorne, M.A.	„ 1715
	1716	Henry Hughes, M.A.	„ 1720
	1720	Hugh Evans	„ 1732
	1732	John Carr, B.A.	„ 1779
	1780	William Groome, LL.B.	Resigned 1811
	1811	William Monsay, B.A.	„ 1828
	1828	Henry James Parsons, B.D.	Ob. 1844
	1844	Geo. Aug. Fredk. Hart, M.A.	Ob. 1873
	1873	George Arbuthnot, M.A.	Resigned 1879
	1879	Arthur S. Thompson, B.D.	„ 1887
	1887	Robert Fisher, LL.M.	„ 1892
	1892	James E. Farmer, M.A.	„ 1895
	1895	Walter Crick, M.A.	„ 1900
	1900	Rowland J. Burdon, M.A.	„ 1905
	1905	E. S. Saleebey, M.A.	„ 1910
	1910	Fredk. W. Booty, M.A.	„ 1917
	1917	Charles J. Winn, M.A.	

(Ex.) = exchanged. (a) = Date of presentation unknown. (b) Year of resignation, or date of death, not recorded.

Note.—Hennessy, in his list of Clergy for Diocese of Chichester, omits Edmund de Cotton (1354), Jerome Philips (1569), Thomas Lewes (1570), and Robert Read (1673); adds William de Merton and William de Dodynton for 1349, and gives Walter atte Hull for 1355 as well as for 1350.

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